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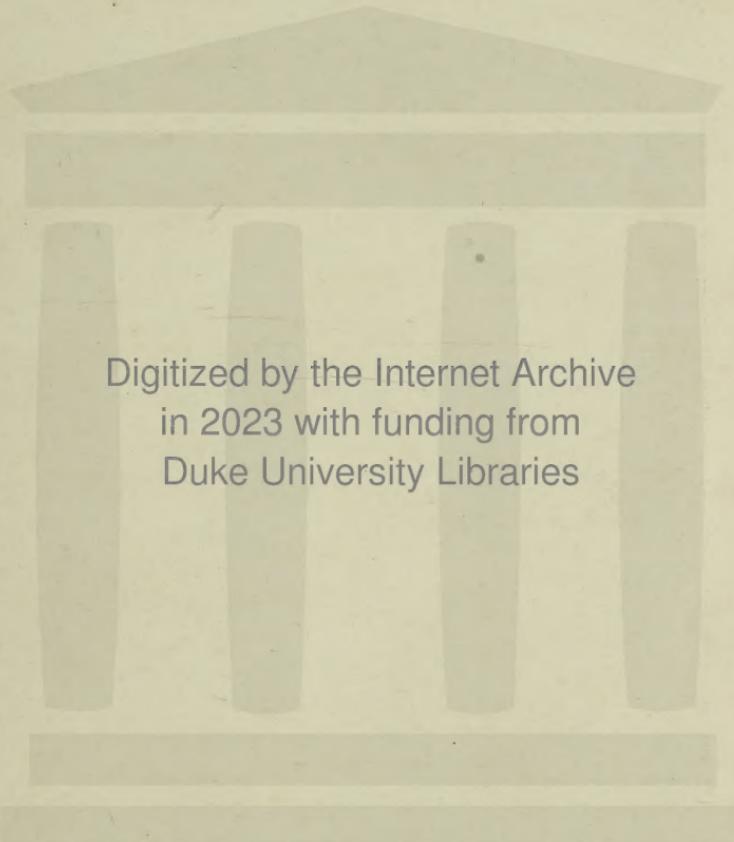


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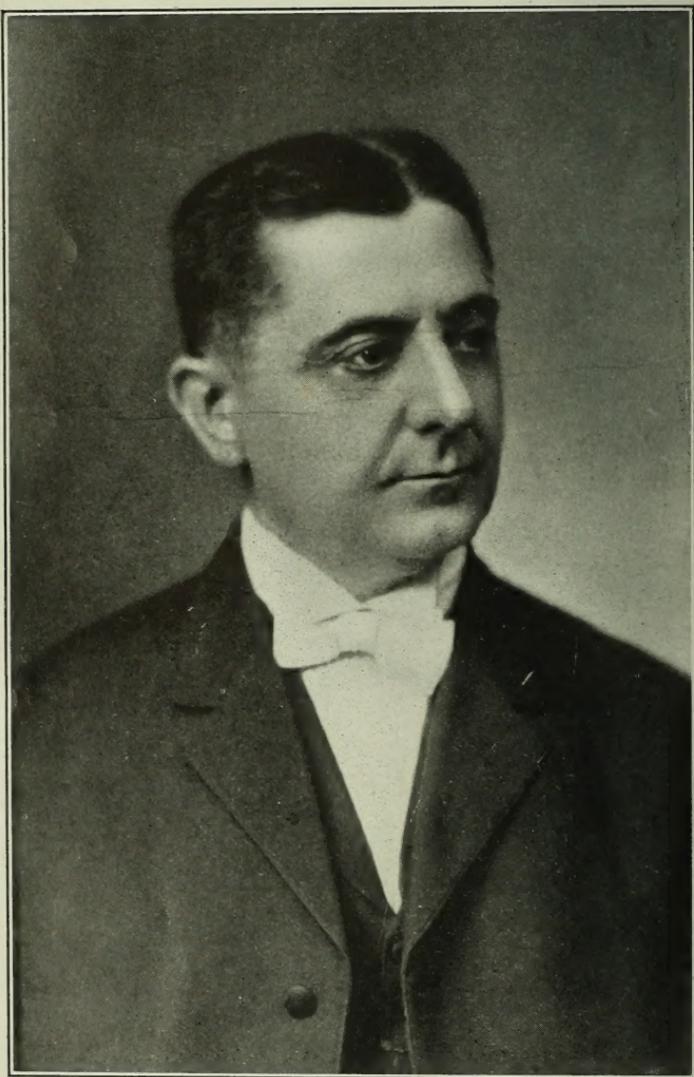
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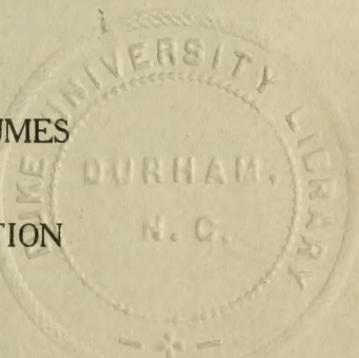
EARLY TENNESSEE HISTORY

ILLUSTRATED

20r 10625
BY S. G. HEISKELL,
A TENNESSEAN,
KNOXVILLE, TENNESSEE

IN TWO VOLUMES

Vol. I
SECOND EDITION



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DEDICATION

THIS BOOK IS
AFFECTIONATELY DEDICATED TO THE MEMORY
OF

WILLIAM HEISKELL, MY FATHER, AND OF
JULIA GAHAGAN HEISKELL, MY MOTHER,
THE ONE A CO-BUILDER AMONG THOSE
STRONG MEN WHO DEVELOPED TENNESSEE,
THE OTHER A WORTHY HELPMEET, POSSESSED
OF EVERY GRACE AND CHARM THAT WOMEN
EVER HAVE, AND, IN MY EYES, MORE.

S. G. HEISKELL.

MARCH 1, 1918.

176605

A FOREWORD.

THE SPEAKER'S ROOMS

HOUSE OF REPRESENTATIVES

WASHINGTON, D. C., March 14, 1918.

DEAR MR. HEISKELL:

It is a strange fact that two of the greatest English-speaking soldiers that ever lived, Oliver Cromwell and Andrew Jackson, never sent a squadron into the field until they were past middle life. I think that General Jackson's two victories, one at the Horseshoe Bend and the other at New Orleans, are two of the most remarkable achievements in military annals. His victory at New Orleans saved us, in my judgment, another war with Great Britain, and perhaps changed the history of the world. I know quite well that it changed the history of the United States, as it made Jackson President of the United States for eight years and Van Buren Vice-President for four years.

Colonel William Peters Hepburne, of Iowa, was a Lieutenant Colonel at that time. He was always more or less interested in military affairs, and once made an estimate calculating out of the number of shots fired the number of men hit. In ten or twelve of the most famous battles in the world, the number of British hit by Jackson's men, like Abou Ben Adhem, led all the rest; not only led all the rest, but left them out of sight.

Your friend,

CHAMP CLARK.

THE SETTLER.

His echoing axe the settler swung
 Amid the sea-like solitude,
And rushing, thundering, down were flung
 The Titans of the wood;
Loud shrieked the eagle as he dashed
 From out his mossy nest, which crashed
 With its supporting bough,
And the first sun-light, leaping, flashed
 On the wolf's haunt below.

Rude was the garb, and strong the frame
 Of him who plied his ceaseless toil:
To form that garb, the wild-wood game
 Contributed their spoil;
The soul that warmed that frame disdained
 The tinsel, gaud, and glare, that reigned
 Where men their crowds collect;
The simple fur, untrimmed, unstained,
 This forest tamer decked.

The paths which wound mid gorgeous trees,
 The streams whose bright lips kissed their flowers,
The winds that swelled their harmonies
 Through those sun-hiding bowers,
The temple vast—the green arcade,
 The nestling vale—the grassy glade,
 Dark cave and swampy lair—
These scenes and sounds majestic, made
 His world and pleasures, there.

—Alford B. Street.

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P R E F A C E

I expect neither profit nor general fame by my writings; I consider myself as having been amply repaid without either.—Coleridge, *Preface First Edition of The Ancient Mariner and Christabel.*

This book had its origin in the belief that only a one-sided view of the life and character of Andrew Jackson has been given generally by those who have written about him, and that injustice has been done to Sam Houston and John Sevier in that neither of them has been accorded as high a place in history as their achievements merit. All three are closely connected with the early history of Tennessee, and Jackson and Sevier passed their lives in the State. Houston lived for years in the State, became District Attorney General, Member of Congress and Governor, and went to Texas, became its liberator and died there. They were all great men, with great qualities and accomplished great achievements.

The writers on Jackson always portray the bold, aggressive side of the man, his iron will, his fearlessness of danger, his nerves that were never shaken no matter what the circumstances. They tell us of his great fight in which he crushed the Bank; of his ringing challenge to the nullifiers of South Carolina; of his masterly political victories where he defeated the combined influence of Webster, Clay and Calhoun; and of his two great administrations generally. We are always shown the great, the heroic, the masterful, the ever victorious in him. Everybody admires his qualities and victories, and all Tennesseans are proud that he possessed the one and gained the others; they are the things that make up the greatness of Old Hickory.

But there was another side that we rarely read about. Jackson was one of the tenderest and most affectionate men

that ever lived, and with a strong, romantic strain in his make-up that made him a high-bred, knightly gentleman always in his contact with women and children, and persons in poverty, sickness or distress. As an illustration, volumes are expressed in his act of taking the infant Indian boy lying on his dead mother's breast after the battle of Tallusatches, and sending him to the Hermitage, where he was named Lincoya, and there nourished and raised until his death at the age of eighteen; and when President in not neglecting to ask in his letters home as to Lincoya's health and how he was getting along. Tennesseans and Americans are a home-loving people and will rank Jackson even higher when they come to consider the domestic and tender side of his character. He strongly wished the perpetuation of his name, and his warm affection for his adopted son and wife, and his unremitting devotion to their children, exhibit qualities that make a universal appeal. For the real Jackson to be understood we have to study all sides of him. He was not only a national hero, but a man to whom home and its inmates were the most perfect solace and joy.

Sam Houston made Texas possible as an American State, and added to the Republic as grand an area as was ever populated by any race. I have stated in one of the chapters that follow that if Houston had brought about the annexation of Canada to the United States, as he did Texas, there would be statues and monuments to him all over the North, and he would long ago have been ranked with Washington as one of America's immortals, known, and his memory cherished and honored, nation-wide. His fame belongs to Tennessee as well as to Texas, and his services were great and far-reaching enough to render the whole Republic his debtor for all time.

Of John Sevier it is difficult to speak with that moderation and dignity becoming the treatment of a historical subject. For 74 years in an Alabama cotton field he lay buried, as though in death he had been outlawed from the State of which in the building in his lifetime he had been the chief cornerstone; and

in the merited odium of those 74 years of disgraceful neglect, all Tennessee shared, and the City of Knoxville with the rest, until the city redeemed itself, as far as it could, by according to the few bones remnant of a great man, a magnificent funeral and sepulchre in its courthouse yard, viewed by thousands standing with uncovered heads. Sevier and his deeds ought to be an ever-frequent and precious memory to every man and woman born or resident upon the soil of the State; and my prediction is that as historical values become more just and accurate with the flow of the years, his name will blaze and shine on written pages with a glory like those of knights of old immortalized by Sir Walter Scott's pen and Alfred Tennyson's beautiful lyric lines; and that some son of genius and song will one day come who will write Sevier's name in that Hall of Fame tenanted by Launcelot, Sir Galahad and Arthur, and those other grand spirits of centuries gone by, whose lives illustrate the fine perfume and blossom of our human nature.

I make no claim to any great originality of thought or treatment in this book; but I do claim that at least a start is here made toward a more fully rounded conception of Jackson's character, and a very much juster estimate of Houston and Sevier; and that at least one watchman has cried aloud from the housetops that the lives of the pioneers and early people of the State exhibit those primary qualities that are indispensable to true character, and to which this generation may well revert and profit much by adopting.

This book represents the unremitting labor of one year of myself and stenographers, and the help by suggestions and the lending of books, public documents, photographs, old letters, daguerreotypes, and newspapers, by loyal friends whose good will has been a boon all through the undertaking, and to whom I beg to here offer every assurance of sincere gratitude and profound respect. During the year the daily hours of work were much above the usual hours that men toil, and the undertaking under this high pressure might have become irksome and in-

tolerable had it not been a labor of affection, and therefore a pleasure, to paint, however imperfectly, the beginnings and development of a State in which my family did their part, and to which every Tennessean can proudly point with well-founded patriotic pride.

It will be noted that there are frequent and extended quotations throughout the book which some may consider excessive and improper; but in my view, apt, full and reliable quotations are indispensable to any historical work for several reasons.

First, they vary and enliven the current of the text and assure the reader that he is getting the exact sentiment or opinion of the author quoted.

Second, it is ethical to give the words literally of another writer, and not to acquire his thought or expression by changing a word or phrase here and there, or by transposing and slightly varying sentences, thereby committing, to all intents and purposes, literary larceny.

Third, it adds to the weight of the book, whatever the eminence or learning of the author doing the quoting, and gives a composite mental picture of the subject treated that to the reader is assuring, satisfying, and illuminating.

I have tried to find and to quote for every event treated the testimony of an eye-witness, or person of personal knowledge; and if none such was to be found, then evidence of a contemporary of the event; and if no contemporary could be found, then the nearest authority in time, whether personal or written; and if evidence from this source also failed then by the oldest tradition.

As an illustration of the value of an eye-witness, all of the histories tell of the uniform courtesy of Sam Houston, and this, of course, every one is glad to know; but how much more strongly are we impressed that Houston was naturally a courteous gentleman when we read Colonel John B. Brownlow's account, in Chapter 46, of Houston's good breeding, in his reception of Colonel Brownlow when a boy of only fourteen years of age,

he called on the Senator at the old Lamar House in Knoxville to pay his respects.

Again, the histories generally tell about the funeral of Mrs. Andrew Jackson, and give accounts of it, but what a world of difference between our appreciation of such accounts and that of Governor Henry A. Wise, quoted in Chapter 27, who was present, saw everything that was done, and gives us a fully satisfying statement of what he saw; again, when Colonel Thomas H. Benton, quoted in Chapter 28, tells of his personal knowledge of the domestic life at the Hermitage, of Jackson's personal qualities, and of the devotion of General and Mrs. Jackson to each other, what more could one want!

My thanks are tendered to,

Col. John B. Brownlow; Col. Noble Smithson; Calvin M. McClung, great-grandson and Mrs. Lucy G. Rodgers, great-granddaughter of Gen. James White, the founder of Knoxville; Lloyd Branson; Dr. A. P. White, great-grandson of Gen. James White; Miss Catherine F. Heiskell for the map of the Little Tennessee River and Cherokee towns; Mrs. Amy Jackson, widow of Col. Andrew Jackson the third; Frank L. Meek, great-grandson of John Sevier; Seldon R. Nelson, great-nephew of John Sevier; J. U. Kirby, who owns the Sevier country home six miles from Knoxville; Miss Elizabeth Avery for the facsimile of Jackson's challenge to Col. Waightstill Avery, of Knoxville;

Hon. John Wesley Gaines; President John H. DeWitt, of the Tennessee Historial Society; Mrs. Rachel Jackson Lawrence, grand-daughter of Andrew Jackson; Mrs. Nina Reid Hunter, great-granddaughter of Major John Reid, Jackson's aid and military secretary; Mrs. Bettie Donelson, regent of the Ladies' Hermitage Association of Nashville;

Miss Mary Rothrock, librarian, Miss Mary Nelson and Mrs. Inez Deaderick, assistants of the Lawson-McGhee Library of Knoxville; the Congressional Library at Washington; the Carnegie Library at Nashville; the Cossitt Library at Memphis;

R. M. Rogan; Mrs. R. M. Rogan, of Rogersville, Tennessee

Mrs. Blanche Laffitte, of Bristol, Tennessee, daughters, and Mrs. T. J. Wallace, of Franklin, Tennessee, granddaughter, of Major Frederick S. Heiskell; Gen. J. C. J. Williams, grandson of Col. John Williams, of the 39th Regulars at the Battle of the Horseshoe, of Huntsville, Tennessee; Major Henry Crumbliss, of Kingston, Tennessee; Miss Margaret Gist, Historian of King's Mountain Chapter D. A. R., York, South Carolina; Robert Dyas, grandson of Gen. John Coffee, of Collinswood, Tennessee; Dr. Thomas M. Owen, Director Department of Archives and History of the State of Alabama, Montgomery; Miss Zella Armstrong, of Chattanooga, Tennessee.

S. G. HEISKELL.

Knoxville, Tennessee, March 1, 1918.

PREFACE TO SECOND EDITION

Copies of the first edition of this book were sold in thirty-three States, the greatest number in Tennessee, followed by Massachusetts, Connecticut, New York and Pennsylvania, about equally. The Western States were the next largest purchasers, and the Southern States the smallest. The advertising of the book was the same in all the States and was addressed to universities, colleges, schools, State libraries, municipal libraries, Carnegie libraries, and to individuals to a limited extent. The sales lead to an interesting study of how Jackson is viewed in different sections of the United States. They suggest the inquiry whether or not his uncompromising support of the Union, evidenced by his reply to the nullifiers of South Carolina, has anything to do with the seeming lack of interest in him in the South.

When the material for the first edition was being collected, it became evident that it was not a question of getting new or comparatively new historical matter sufficient to justify publication of the book, but of compressing available matter into one volume; and I determined that if the reception of the book by the public warranted it, I would publish a two-volume edition and cover a wider field. Such matter appears here for the first time in print, or, printed so long ago and on so small a scale, as to have been entirely lost or forgotten.

The policy initiated in the first book of publishing entire letters, documents, statements, statutes and speeches, has been continued and accentuated in this. Readers have received very cordially the incorporation of original documents in full, and for that among other reasons, I have endeavored to make this edition more than ever a source book, to which those who may hereafter write Tennessee history may refer with confidence that they are getting information which in words and sentiment is unchanged from the original.

My thanks are due and are here tendered to the lady librarians of the Lawson-McGhee Library, Col. John B. Brownlow, W. L. Rhea, J. Harry Price and Dr. A. P. White, all of Knoxville; Honorable John W. Gaines, W. E. Beard of the Nashville Banner, Douglass Anderson, Esquire, and Mrs. Frank P. Elliott, all of Nashville; Mr. and Mrs. R. M. Rogan of Rogersville, Tenn.; Col. Samuel L. King, and Mrs. D. M. Lafitte of Bristol, Tenn.; William H. Brown and Miss Sophie Brown of Greeneville, Tenn.; Miss Edith Scott of Morristown, Tenn.; Honorable Thomas A. E. Weadock, formerly a Member of Congress, of Detroit, Mich.; Honorable Gideon Morgan of Mayes County, Okla.; Mrs. Newton W. Leonard of Baltimore; and Mr. Christopher Wren of Wilkes-Barre, Penn.

Since the first edition issued Bishop E. E. Hoss of the Methodist Episcopal Church, South, has passed over and is buried in the cemetery at Muskogee, Okla. I feel that his friends throughout the South will be gratified to read a letter from him which is reproduced on page 340.

I would feel altogether remiss if I did not here tender to Honorable Gideon Morgan, III, of Mayes County, Oklahoma, every assurance of personal esteem and gratitude, for the valuable material sent me in reference to the Cherokee Indians. Col. Morgan is a grandson of Col. Gideon Morgan, II, who led the friendly Cherokees in aid of Jackson at the battle of the Horse Shoe, and he has in him the blood of John Sevier and of Oconostota, the King of the Cherokees, who is buried at Citico on the Little Tennessee River.

The line of descent is as follows: Governor Sevier's oldest son, Joseph, married Elizabeth Lowry, one-half Cherokee and the daughter of George Lowry, Sr., Assistant Principal Chief of the Cherokees, and of Ootlootsa, daughter of Oconostota. From this marriage was born Margaret Sevier, who married Col. Gideon Morgan, II, and they had three sons and four daughters. One of the sons was George Washington Morgan, who was mortally

wounded at Ashland, Kentucky, while Major in the Confederate Army, and who was the father of Gideon Morgan, III.

Gideon Morgan, III, was born at Athens, Tennessee, in 1851, and resided on the Little Tennessee River until 1871 when, with other members of his family, he went West. In a letter to me, dated March 6, 1920, he says that his grandmother, Margaret Sevier Morgan, when he was nine years old, pointed out the grave of Oconostota under a chesnut tree at Citico, Monroe County, Tennessee. His grandmother went West in 1862 and died there the same year and is buried at Weber's Falls, Oklahoma, on the Arkansas River.

Before the Cherokee Tribal Government was dissolved and the Tribe merged into the mass of American citizens in 1906, Col. Morgan was a Senator in the Cherokee Senate, is now a member of the Oklahoma Legislature, Chairman of the Committee on the Five Civilized Tribes and a Member of the Committees on Banks and Banking, Agricultural Education, General Agriculture, Initiative and Referendum, and Impeachment and Removal from Office.

Among other things he sent me a life of Hon. William P. Ross, nephew of John Ross, and sometime Principal Chief of the Cherokees, with this autographed inscription:

"To my Stranger Friend of Knoxville, Tennessee, and Writer of Andrew Jackson and Early Tennessee History, Mr. Heiskell.

GIDEON MORGAN, III.

"Tip, Oklahoma, August 31, 1919."

In the evening of life, Colonel Morgan is living quietly on his farm on Grand River, Oklahoma, where I hope with "honor, love, obedience, troops of friends" (Shakespeare), he may live in perfect peace for years and years to come.

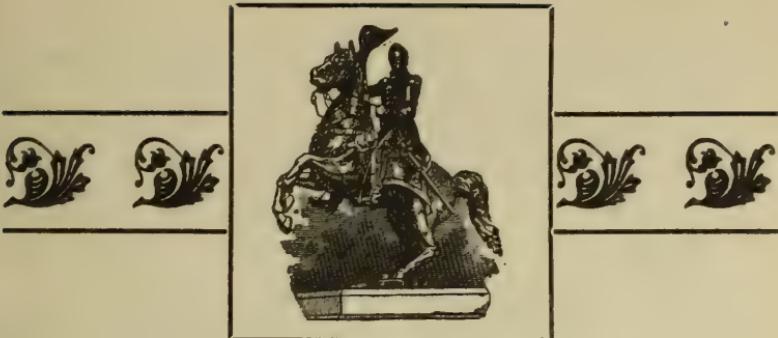
S. G. HEISKELL.

Knoxville, Tennessee, April 1, 1920.

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The Annexation of Texas (1 Vol.)	<i>Justin H. Smith</i>
Sarah Childress Polk (1 Vol.)	<i>Anson Nelson</i>
History of Pioneer Kentucky (1 Vol.)	<i>S. S. Cotterill</i>
Life of William Blount (1 Vol.)	<i>Marcus J. Wright</i>
Bound Volumes of the Knoxville Register	<i>Frederick S. Heiskell and Hugh Brown</i>
Original Letters of Andrew Jackson, loaned by the Jackson and Donelson Families.	
Speeches of Members of Congress at Various Times in Congressional Record.	
Old Files of the Nashville American, Nashville Tennessean and Knoxville Journal and Tribune.	
Early History of the Cherokees (1 Vol.)	<i>Emmet Starr</i>
Dropped Stitches of Tennessee History	<i>John Allison</i>
Life of Wm. P. Ross of the Cherokee Nation (1 Vol.)	<i>Mrs. Wm. P. Ross</i>
Autobiography of Gen. Winfield Scott.	
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Various Acts of the Legislature of Tennessee.	
Historical Register, 1816, Vol. 4.	
Jonathan Elliot's Public Documents, Vol. 4.	



Andrew Jackson and Early Tennessee History

CHAPTER 1.

Introduction.

If, in the long ago, before the white man's foot had pressed the soil of Tennessee, a Cherokee chief, conscious of the supremacy of his nation, had stood upon the lofty summit of the Great Smoky Mountains—the eastern border of the State—and turned his eyes westward toward the Mississippi River, he would have gazed upon an inspiring panorama of forest and plain and rolling rivers and grand mountains and lovely valleys, such as is surpassed nowhere on this earth. He would have seen a land known only to a red man's eyes, and in the exultation of pride in his Cherokee blood and the prowess of his Cherokee nation, could have exclaimed, "Behold the land of my tribe and kindred, the happy hunting ground of my people given by the Great Spirit forever!" Had the question been asked him how long the Cherokees had owned this fair land, he would have replied that the sun never rose on a day that this land was not their land, their very own.

If the Great Spirit had been supremely generous in the land given to the chief and his kindred, that same Great Spirit had

also been kind in not revealing to him that buried upon this happy hunting ground were evidences of a skill and culture better than his, remains of a race higher than his race, that had passed away to "leave not a rack behind," except speechless relics in mounds and graves and burial ground—men who had lived and burned out life's candles centuries before the Cherokee saw the light of day. They were the mound builders whose era we are totally unable to fix.

But the Great Spirit was extremely kind to the Cherokee Chief in another way. It held back from him the power to read futurity, to pierce the veil that hides the hereafter from living sons and daughters of men, and did not permit him to foresee that the day would come when this would be his hunting ground no longer, when he would be forced to wander far away across the Great River, and when the pride of the Cherokee Nation would be humbled in the dust by a race whose white skin he had never seen, or even been told about.

Sam Houston was the red man's friend as long as he lived, and his friendship never wavered or changed.

C. Edwards Lester, who was a friend of Houston when a Senator in Congress from Texas, and who afterwards wrote Houston's Biography, tells an interesting story of some of the Senator's friends assembling in his rooms in Washington, when the Senator asked if someone present could not recite a part of Charles Sprague's oration over the fading away of the red man, delivered to the inhabitants of Boston, July 4, 1825. One of the assembly recited the part, and Lester says he will never forget the enthusiasm it aroused. This is the part of the oration recited:

CHARLES SPRAGUE'S ORATION.

"Not many generations ago, where you now sit, circled with all that exalts and embellishes civilized life, the rank thistle nodded in the wind, and the wild fox dug his hole unscared. Here lived and loved another race of beings. Beneath the same sun that rolls over your heads the Indian hunter pursued the panting deer; gazing on the same moon that smiles for you, the Indian lover wooed his dusky mate. Here the wigwam blaze beamed on the tender and helpless, the council-fire glared on the wise and daring. Now they dipped their noble limbs in your sedgy lakes, and now they paddled the light canoe along your rocky shores. Here they warred; the echoing whoop, the bloody grapple, the defying death-song, all were here; and when the tiger strife was over, here curled the smoke of peace. Here, too,

they worshiped; and from many a dark bosom went up a pure prayer to the Great Spirit. He had not written His laws for them on tables of stone, but He had traced them on the tables of their hearts. The poor child of Nature knew not the God of revelation, but the God of the universe he acknowledged in everything around. He beheld him in the star that sank in beauty behind his lonely dwelling, in the sacred orb that flamed on him from His mid-day throne, in the flower that snapped in the morning breeze, in the lofty pine that defied a thousand whirlwinds; in the timid warbler that never left its native grove, in the fearless eagle, whose untiring pinion was wet in the clouds; in the worm that crawled at his feet, and in his own matchless form, glowing with a spark of that light, to whose mysterious source he bent in humble though blind adoration.

"And all this passed away. Across the ocean came a pilgrim bark bearing the seeds of life and death. The former were sown for you, the latter sprang up in the path of the simple native. Two hundred years have changed the character of a great continent, and blotted forever from its face a whole, peculiar people. Art has usurped the bowers of nature, and the anointed children of education have been too powerful for the tribes of the ignorant. Here and there a stricken few remain, but how unlike their bold, untamed, untamable progenitors! The Indian of falcon glance and lion bearing, the theme of the touching ballad, the hero of the pathetic tale, is gone! and his degraded off-spring crawl upon the soil where he walked in majesty, to remind us how miserable is man when the foot of the conqueror is on his neck.

"As a race they have withered from the land. Their arrows are broken, their springs are dried up, their cabins are in the dust. Their council-fire has long since gone out on the shore, and their war-cry is fast dying out to the untrodden West. Slowly and sadly they climb the distant mountains, and read their doom in the setting sun. They are shrinking before the mighty tide which is pressing them away; they soon must hear the roar of the last wave, which will settle over them forever. Ages hence the inquisitive white man, as he stands by some growing city, will ponder on the structure of their undisturbed remains, and wonder to what manner of person they belonged. They will live only in the songs and chronicles of their exterminators. Let these be faithful to their rude virtues as men, and pay due tribute to their unhappy fate as a people."

Unraveling the history of the men and women who inhabited Tennessee before the Cherokee is a problem as fascinating as it is mysterious, and as difficult as prehistoric problems always are, but into this our limits will not permit us to enter. Why this buried race should have lived and passed into the night of oblivion and left no word behind, to be succeeded by a race not

their equal, we cannot know. They died and took the cause and method of their extermination with them. For what purpose were they permitted to live? This is just one of those mysteries connected all down the drifting years with the lives of men that are always pondered but never solved. It is only another form of the same old questions—Whence, Wherefore, Whither?

If our Cherokee chief had been permitted to reflect on the life and destiny of those who were dead and gone before him, he would not have been able, for want of mental training, to coin his thoughts into the words of Tennyson, but he would still have had those thoughts:

“But what am I?
An infant crying in the night,
An infant crying for the light,
And with no language but a cry.”

No son of man, whether white or black or red or yellow or brown, has ever lived and played his little part across the stage of action, and then departed into the limbo of the unnumbered dead, but has consciously or unconsciously, expressly or in vague, mute yearnings, not co-ordinated or put in words, echoed Tennyson's lines? Those lines are humanity's universal and never ending cry, men's wail for light and knowledge. It is the gloom that prompts these unhappy lines, the despair that forces the sorrowing wail from the helpless lips of men, that cause them to

“Walk thoughtful on the solemn silent shore
Of that vast ocean they must sail so soon.”

If instead of the panorama that was unveiled before him another had been presented to this chief's gaze—that of a great State with its teeming thousands of people, its cities, its commerce, its buildings, its railroads, its everything that makes up the State of Tennessee—his untutored mind would have been staggered and pitiful and impotent, and his prayer would have gone up to the Great Spirit to tell him what it all meant. The great State which was to arise upon the crushed prowess of the Cherokee Nation and to follow its immolation upon the altar of human progress, could not have been fathomed by him; and it is to chronicle how the foundations of that State were laid, and of the grand character of those who did the building, that this book is written.

The men who laid the foundations of Tennessee were not only physically fearless but morally brave.

In their personal and social contact with each other they were frank, truthful, candid and honest, and the times afforded no tolerance of a physical coward; their everyday lives permitted no polite deception or social doubledealing. They stood for none of that most dangerous form of falsehood—the telling of half-truths. Above everything, the times forced every man to assume full responsibility for all his words and acts, and did not countenance his escaping moral, legal, or physical responsibility, by attributing his wrongful deeds to the influence of others. As a result of this standard, moral cowardice was never or rarely found. The pioneer did not know, and had no desire to learn, the art of laying his failings and weaknesses upon the shoulders of some one else. There was no lack of kindness, liberality and charity, but in no sense were these qualities permitted to divest a man of full individual responsibility. Every man was expected to do, and did do, his full duty. The times did not produce or respect weaklings, milk-sops or invertebrates. Every effort of legislation, the force of public opinion and the power of personal influence, tended to fasten in the mind of all the conviction that each must stand for himself, whether his deeds were committed singly or in connection with other men; and that conditions and environment would not be permitted to exculpate him and incriminate others connected with him. To inculcate any other principle would be to destroy the foundation upon which government rests, to inject a fatal weakness into the moral fiber of people, to render men mere weaklings, and to create hypocrites, charlatans and dissemblers. In looking back over the careers of the men who laid the foundations of Tennessee, and studying their lives and characters, we can easily see that the conservation and perpetuation of their type of manhood and character is desirable not only for Tennessee but for all the world. As civilization progresses and wealth increases and society becomes more highly organized, there is a tendency to forget the grand primary qualities of the Tennessee pioneer. The old time virtues are the grand virtues of human character—the virtues of simplicity, candor, kindness, frankness, courage and truthfulness.

The founders of Tennessee wore pioneer clothes and lived in poor houses; they were not highly educated and generally were not polished in their manners; but in those qualities that

have conserved and sustained the best there is in human character in all ages, qualities that imperatively command respect, and which all men believe in and endorse, whether their lives coincide with them or not, qualities to which we are willing to risk our lives, our fortunes and our sacred honor, they were chiefs among the grand actors of the world. They were totally unconscious that they were heroes and heroines; it seems never to have occurred to them that they were making a new and historical departure in the new life of America; that some day everything they did and said would be of interest not only to their descendants, but to the whole country. The settlement of Tennessee and Kentucky was different from any other pioneer movement in America, in that the settlers received no help from any outside source; the movement had to conquer or die; the actors must win of their own prowess; there was no compromise; white civilization was in daily and deadly combat with the red man's savagery, and both could not occupy the soil at the same time.

The grand simple characters of the men and women of that early day ought to be taught in every school of Tennessee, and we may be permitted to express the hope that the time is not far distant when the Legislature of the State will command by statute that Tennessee history shall be made a major study in every Tennessee school, and shall be taught by the most competent instructors. Candor, loyalty to truth, uprightness of principle, simplicity of life, firmness of conviction, thorough personal responsibility, and contempt for doubledealing, are all the finest basic elements of character, and are all exemplified in the early records of the State, and every Tennessee child should know them.

The State has not been poor in its production of fine characters and great men. The chapters of this book that follow tell of some of the Tennesseans who were great not only in the State but in the Nation. There are scores of others entitled to be put on Fame's roll-call and their names acclaimed as the years go by. There are hundreds who were great and fine in character, and who would have been great in accomplishment had conditions presented themselves. There have been men of this last type living all through the history of this State. Tennessee has produced men whose manly and moral make-up is so well-rounded, so chivalrous, so fine in principle, that we involuntarily turn to them as the ideals of practical life—men who are not narrow in outlook, or small in human sympathy, or Puritanical in pro-

fession, or insincere in practice, but big, intellectual, broad, chivalrous and fearless men, who meet foursquare every responsibility that comes, and evade nothing that it is their duty to shoulder or to face.

Different nations have varying notions of the public service that is greatest. England accepts, generally, military and naval service, and her three grandest monuments are to men of this type—Wellington for the victory at Waterloo, to Nelson for Trafalgar, to Marlboro for Blenheim. Tennessee has erected no monuments. She has not seen fit to honor her great men in that way. She has given the names of citizens to more than a third of the counties in the State and so memorialized them. In her affections she hands the laurel wreath to Andrew Jackson the soldier and to James K. Polk the civilian; she crowns Farragut the sailor and Andrew Johnson the defender of the Constitution; she acclaims Isham G. Harris a great Senator and N. B. Forrest a great cavalry leader; she writes down Commodore Maury as a great geographer of the sea, William T. Haskell as greatest among her orators, John Sevier as the chief builder of the State, Sam Houston as an Ajax among leaders, and in devoted affection she hails Thomas F. Gailor, Protestant Episcopal Bishop of the State, as one who illustrates intellectual achievement at its loftiest and eloquence at its golden period among men.

In fine well-rounded character, admirable in every part, among others of her great sons, Tennessee can point to James D. Porter, twentieth Governor of the State, who served as a Circuit Judge; two terms as Governor; Assistant Secretary of State under President Cleveland's second administration; United States Minister to Chili; President of the Peabody College for Teachers, and President of the Tennessee Historical Society. It may be that there are Tennesseans whose records would be considered greater, but from a personal acquaintance of many years the author submits that there never was a Tennessee character that was finer. Every quality that goes to make up fine manhood was his. He loved his State and unflinchingly performed every duty; despised the very thought of insincerity; lived upon the platform that no man was perfect; and held a broad charity for the failings of his fellowman. When he died a life went out that could well be set up for other Tennesseans to emulate.

CHAPTER 2.

Tennessee and its Pioneers—The Wilderness Road—
Daniel Boone's Death—Byron's Tribute to
Boone—Marking the Trail—Cherokee
Cession of South West Point
to United States.

When William Bean planted his cabin in 1769 on Boone's Creek near its junction with the Watauga River, he never dreamed that his humble habitation was to become a land-mark in the future State of Tennessee that would never fade from the record of the State, nor that he as the actual first settler of the State would be as immortal as the State itself. The cabin was planted one hundred and forty-eight years ago, and today, Tennessee with a population of two and a quarter millions, teaches its school-children the story of William Bean and his cabin, and gives him that lofty place in its annals that is ever accorded to first settlers of cities and States. If some genius of the brush would go to Boone's Creek, find the exact spot of that historical cabin, and put on canvas in colors that would not dim a picture of it and its location, and hang it in the Capitol of Tennessee, what an inspiration it would be to all Tennesseans now and to all that may come hereafter! What an appeal that dumb canvas would make to every eye that gazed upon it! With what intense interest Tennesseans would look, and in its humble construction, see a reflection of more than a century and a half of State history, with its story of the slow but grand work of the pioneers—their courage, their self-denial, their suffering, and, in hundreds of cases, their death! If from his abode in the undiscovered country William Bean can survey the commonwealth of Tennessee, with its every mark of modern life and its stately march keeping step with the progress of the years, his whole being must glow with exultation and proclaim that he was the corner-stone of it all, he the original spring that put it all in motion! We would like to know more about him, how he looked, what brought him to the Watauga, who constituted his family, when he died and where

he was buried. About all that we know is that he was born in Pittsylvania County, Virginia, and was a member of the Council of Thirteen of the Watauga Association, Captain of a Company of Whig Regulators in 1778, of which company John, George and Edmund Bean were members, but their relation to him we do not know; captain of a company of Washington County Militia in 1780, and appears in the Indian Wars now and then, in one of which his wife was captured and taken away by the Indians, but was ransomed and brought home after a time. Boone called on him on one of his trips across the State to reach Kentucky, and Robertson made his acquaintance when he came to the Watauga in 1770. His son Russell was the first child with a white skin born in Tennessee.

Oh, thou lonely settler in the wilderness of primeval Tennessee, thou unkempt backwoodsman with the flintlock rifle, and heart and nerve of Achilles! May every son and daughter of the State track thy footsteps and thy virtues, and never forget that in the manhood and character of thy type and class, are to be found the very best that history accords to life in any age of the world! May the time come when to thee as the representative of the pioneers of Tennessee, a monument be erected upon Capitol Hill in the city of Nashville, by which all coming generations may be taught the qualities that redeemed the State from the red man and the wilderness, and fixed it on the flag as a bright star in the constellation of states! It was thou, and those like thee, stalwart torch-bearers in the onward rush of life and time and men, that made possible

“The immortal league of love that binds
Our fair broad empire, state with state.”

The modern world is so far removed in time from pioneer days, and is so different, that we are prone to forget their virtues and grand achievements. We have grown so fast and are now so big and so many things have taken place on a great scale since our early history, that it seems we haven't time even to look back and give a thought to the memory of those whose labors made Tennessee and the United States possible. Since then we have had the war of 1846 with Mexico, and the great war between the States in 1861, the war with Spain in 1898, and the present world-wide war, 1917, with all Europe blazing

for nearly four years—all of which obscure the deeds and memories of our ancestors and make us forget.

"They wrought in sad sincerity,
They builded better than they knew,
The conscious stones to beauty grew."

We live in a different world, where inventions are so varied, so perfect and so marvelous; where every man can know and do so many things and live so fast; where life is constantly changing and made new and strange and wonderful, that we have no time—at least we do not take the time—to study the hard and rugged road traveled by those who went before us, and who built for us and whose heirs we are; but new and wonderful as development has made the world, great and glorious as are our modern ways compared with pioneer ways, lofty as is our dominion over Nature and Nature's powers, the fact remains that human nature is always the same, and that the same hopes, ambitions, loves, aspirations, hatreds, charities, and jealousies that animated the men and women of fifty, a hundred, two hundred, five hundred, a thousand, or five thousand years ago, animate and move them now. Our actions may differ in particulars and methods may vary, environment may change our daily routine, or, generally our civilization may not be the same, but the essential elements, the structural characteristics of men and women, are the same.

Conditions in pioneer life made the development of the individual more perfect and more strenuous than ours; that life stretched to the limit every faculty, capability and power wrapped up by Nature in the body of a man—it brought out all that Nature put there. The individual was the unit of progress, and the great source of progress, and as he developed individually the community developed. The life of the time with a wilderness of nature and savagery surrounding it, evolved to the utmost in the individual his eyesight, his hearing, his touch, his sense of smell, his fleetness of foot, his courage, the steadiness of his nerves in the presence of danger, his endurance of heat, cold and hunger, his capacity to stand suffering from knife cuts or gunshot wounds; or, in fine, to live the life of a pioneer. Physical courage was the supreme test of a man. It was not a time or place for cowards or weaklings, nor was it a time or place for the hypocrite, the trickster or the dissembler; men must be real men and genuine through and through. They lived near to Nature's heart

and Nature is never false, and such living made the Heroic Age in the history not only of Tennessee but in every age and land. It made Homer sing of Ajax, Ulysses, Agamemnon, Achilles and Hector; Virgil sing of Aeneas and his wandering travels; the Middle Ages to love the name of Arthur and his Knights, and all the ages to conjure up in poetry, fiction and song tales of the grand things there always are in a physically perfect and fearless man.

COLONEL THOMAS H. BENTON ON THE PIONEERS.

Col. Thomas H. Benton lived in Tennessee and entered the army and served in the wars under Jackson, and was acquainted by actual observation with the early people of the State, and in a speech in the United States Senate on February 2, 1830, he made a most eloquent and touching appeal in regard to the sufferings and endurance of the people of Tennessee and Kentucky in the days when they were compelled to defend themselves at all times and in their own ways.

"The history of twelve years' suffering in Tennessee, from 1780 to 1792, when the inhabitants succeeded in conquering peace without the aid of Federal troops; and of sixteen years' carnage in Kentucky, from 1774 to 1790, when the first effectual relief began to be extended, would require columns of detail for which we have no time and powers of description, for which I have no talent. Then was witnessed the scenes of woe and death, of carnage and destruction, which no words of mine can ever paint; instances of heroism in men, of fortitude and devotedness in women, of instinctive courage in little children, which the annals of the most celebrated nations can never surpass. Then was seen the Indian warfare in all its horrors—that warfare which spares neither decrepit age, nor blooming youth, nor manly strength, nor infant weakness; in which the sleeping family awoke from their beds in the midst of flames and slaughter; when virgins were led off captive by savage monsters; when mothers were loaded with their children and compelled to march; and when, unable to keep up, were relieved of their burthen by seeing the brains of infants beat out on a tree; when the slow consuming fire of the stake devoured its victims in the presence of the pitying friends, and in the midst of exulting demons; when the corn was planted, the fields were ploughed, the crops were gathered, the cows were milked, water was brought from the spring, and God was worshiped, under the guard and protection of armed men; when the night was the season for traveling, the impervious forest the highway, and the place of safety most remote from the habitation of man; when every house was a fort, and every fort subject to siege and assault. Such was the war-

fare in the infant settlements of Kentucky and Tennessee, and which the aged men, actors in the dreadful scenes, have related to me so many times."

ROOSEVELT'S OPINION.

In "Winning of the West" Roosevelt has this to say about the pioneers of Tennessee:

"Thus the backwoodsmen lived on the clearings they had hewed out of the everlasting forest; a grim, stern people, strong and simple, powerful for good and evil, swayed by gusts of stormy passion, the love of freedom rooted in their very hearts' core. Their lives were harsh and narrow, they gained their bread by their blood and sweat, in the unending struggle with the wild ruggedness of nature. They suffered terrible injuries at the hands of the red men, and on their foes they waged a terrible warfare in return. They were relentless, suspicious, knowing neither ruth nor pity; they were also upright, resolute, and fearless, loyal to their friends, and devoted to their country. In spite of their many failings, they were of all men the best fitted to conquer the wilderness and hold it against all comers."

THE WILDERNESS ROAD.

The men who fought and won the Revolutionary War were part of a population of three million that occupied a strip of territory about one hundred miles wide and extending along the Atlantic Seaboard. Some two hundred miles from the seaboard were the mountains. The unoccupied part was practically an unknown land, a vast unbroken, untrodden wilderness, and so remained until after the American Revolution, when the tide of emigration turned westward, scaled the Blue Ridge and the Alleghanies, and settled Kentucky and Tennessee. We naturally wonder and ask how they got there, and to answer this question is to tell the story of the Wilderness Road, which is one of the most prominent landmarks in pioneer American history. Emigrants seeking the then West had two routes to choose between, one by floating down the Ohio River from Pittsburg, the other a land route—the Wilderness Road—by Cumberland Gap.

Pittsburg had been a military post since 1754, and had about one thousand population in 1785. That route would appear obviously the easiest and the one to select, but it was very dangerous from the Indians along the banks; and it is hard to imagine a more pitiable plight than a boat load of men, women and children floating down the Ohio with nothing to protect them from the murderous fire of the Indians.

When Colonel Richard Henderson bought Kentucky from the Indians at the treaty of Watauga in 1775, he employed Daniel Boone to blaze the trail into Kentucky. Boone at once prepared to do so, and assembled some companions at Long Island, Tennessee, and they proceeded with their hatchets to blaze the trees; and this was the origin of the Wilderness Road which extended from the Watauga settlements by Cumberland Gap to a point in Kentucky where the town of Boonesboro was located, more than two hundred miles distant. The fort at Boonesboro was completed July 14, 1775.

But the Wilderness Road was not universally considered to be this road from Watauga to Boonesboro; it was later spoken of by people generally as the road from Cumberland Gap to Boonesboro. Persons going into Kentucky from Maryland, Virginia, North Carolina and South Carolina, went by Cumberland Gap and did not touch Tennessee, and this class of emigrants was far greater than those from the Watauga settlements; hence it is that in the histories the road is generally referred to as the road from Cumberland Gap.

The honor of blazing this trail of civilization belongs to East Tennessee and originated, as stated, at the Watauga Treaty when Colonel Henderson had bought Kentucky and wanted to start the stream of emigration over there.

Tennesseans feel a profound interest in this pioneer road also from the fact that James Robertson when he started with his colony of settlers to locate upon the Cumberland, where he afterwards founded the city of Nashville, left the Watauga settlement and proceeded by the Wilderness Road to Cumberland Gap, a distance of about one hundred miles, and thence over that road to a point in Kentucky about north of the City of Nashville, where he turned south and reached his destination on the Cumberland River. His route from Cumberland Gap is laid down by Putnam in his History of Middle Tennessee, and was from the Gap to Whitley Station on Dick's River; thence to Carpenter's Station on Green River; thence to Robertson's Fork on the north side of that stream, down the river to Putnam's Station, crossing and descending that river to Little Barren River; crossing the Barren at the Elk Lick, passing the Blue Spring and the Dripping Spring to Big Barren River; thence up Drake's Creek to a Bituminous Spring; thence to the Maple Swamp; thence to Red River at Kilgore Station; thence to Mansker's

Lick; and thence to the French Lick or Bluffs. With the exception of French Lick and Cumberland Gap, all of the above points are in Kentucky.

Robertson made this trip in the winter of 1779-1780, which is known as "the cold winter," one of the most extraordinary severity. The cold weather started in early, but fortunately no deaths occurred among his party, and there were no attacks by the Indians. They reached the Cumberland River in December, 1779, on the south side, and on January 1, 1780, they crossed to where Nashville now stands. The river was frozen, and he crossed and the cattle were driven over on the ice.

This journey by Robertson is historical in Tennessee. He was to meet and did meet another party of emigrants and settlers under Colonel John Donelson who went in boats on the famous journey from upper East Tennessee to the location of Nashville.

DANIEL BOONE.

It would not be just to the memory of the great pioneer and hunter, who is immortal as the founder of Kentucky, not to say something about his life and final end. He was born in Pennsylvania February 11, 1735, and found his way to the Yadkin River, and there became a farmer; but the wilds had an irresistible attraction for him, and it did not make very much difference whether he had company or not—in his rough and humble way he could commune with Nature and be happy. His physical endurance was marvelous and his skill as a hunter wonderful.

He was employed by Richard Henderson to seek out the good land in Kentucky before Henderson bought that State, and Boone made several trips there, some before and some after, he blazed the Wilderness Road. With all of his knowledge as to the location of good land in Kentucky, he died poor and was buried in the State of Missouri, then his home, September 20, 1820. Twenty-five years afterwards the remains of himself and wife were disinterred and taken to Frankfort, the Capital of Kentucky, and there buried again on August 20, 1845, with honorable ceremonies. Kentucky did right, although slow in doing it, in bringing the remains of her founder back to the Capital of the State, and surpassed Tennessee, which waited nearly seventy-five years to bring the remains of John Sevier back to the State.

DEATH OF DANIEL BOONE.

Heiskell & Brown's Knoxville Register of November 21, 1820, reprints a notice of Boone's death from the St. Louis Enquirer of September 30, 1820, as follows:

"DIED.

"On Tuesday, the 26th inst., at Charette Village, in the 90th year of his age, the celebrated Colonel Daniel Boone, discoverer and first settler of the State of Kentucky. His death was communicated to the General Assembly on Thursday the 28th inst. by Mr. Emmons, Senator from St. Charles County, and both branches of the Legislature through respect to his memory adjourned for the day and passed a resolution to wear crape on the left arm for twenty days.

"Colonel Boone emigrated to Upper Louisiana and settled on the Missouri River about fifty miles above St. Louis before the purchase of the country, and received from the Spanish Government a donation of 2,000 arpens of land. The American Congress confirmed that grant to him, that is to say they did not undertake to deprive him of what he had received from a foreign government. This is the only favor which the discoverer of Kentucky and the founder of that great state has received from his country.

"The family of Colonel Boone also emigrated to Missouri and enjoyed a respect worthy of the name of their father. One of his sons, Major Nathan Boone, was a member of the late Missouri Convention; another, Jesse B. Boone, Esquire, is a member of the present General Assembly. Until within two years passed Colonel Boone has enjoyed much health and was capable of great bodily activity. Since then the approach of death was visible and he viewed it with the indifference of a Roman philosopher. He was buried at the Charette Village and thus the remains of the man whose name is indentified with that of Kentucky now reposes on the banks of the Missouri."

In 1795 the Legislature of Kentucky passed an act to make the Wilderness Road from Crab Orchard to Cumberland Gap, a wagon road thirty feet wide and advertised for propositions to do the work. Boone addressed a letter to Gov. Isaac Shelby making his application for the work, although then sixty years old, and the letter is pathetic not only on account of the spelling, but because of his modest claim that he was entitled to the work

because he first marked out the road in March, 1775. All Tennesseans as well as Kentuckians ought to read this letter with intense interest:

DANIEL BOONE TO GOV. ISAAC SHELBY.

feburey the 11th 1796.

"Sir

"after my Best Respts to your Excelancy and famly I wish to inform you that I have sum intention of undertaking this New Rode that is to be Cut through the Wilderness and I think My Self intitled to the ofer of the Bisness as I first Marked out that Rode in March 1775 and Never Re'd anything for my trubel and Sepose I am No Statesman I am a Woodsman and think My Self as Capable of Marking and Cutting that Rode as any other man Sir if you think with Me I would thank you to wright mee a Line by the post the first opportuneaty and he Will Lodge it at Mr. John Miler son Hinkston fork as I wish to know Where and When it is to be Laat (let) So that I may atend at the time

"I am Deer Sir your very omble sarvent"

The fame of Boone and his co-pioneers was widespread enough to reach England and to receive from Byron in *Don Juan* one of those grand tributes which the Muse has from time to time given to men of iron nerve and courage that quailed before no danger in their conquests and achievements.

BYRON'S TRIBUTE.

"Of all men, saving Sylla the man-slayer,
Who passes for in life and death most lucky,
Of the great names which in our faces stare,
The Daniel Boone, backwoodsman of Kentucky,
Was happiest among mortals anywhere.

"Crime came not near him—she is not the child
Of Solitude. Health shrank not from him, for
Her home is in the rarely trodden wild.

"He was not all alone; around him grew
A sylvan tribe of children for the chase,
Whose young, unwakened world was ever new,
Nor sword nor sorrow yet had left a trace
On her unwrinkled brow, nor could you view
A frown on Nature's or on human face;
The free-born forest found and kept them free
And fresh as is a torrent or a tree.

"And tall and strong and swift of foot are they,
Beyond the dwarfing city's pale abortions,
Because their thoughts had never been the prey
Of care or gain; the green woods were their portion;
No sinking spirits told them they grew gray,
No fashions made them apes of her distortions.
Simple they were, not savage; and their rifles,
Though very true, were not yet used for trifles.

"Motion was in their days, rest in their slumbers,
And cheerfulness the handmaid of their toil,
Nor yet too many nor too few their numbers;
Corruption could not make their hearts her soil;
The lust which stings, the splendor which encumbers,
With the free foresters divide no spoil;
Serene, not sullen, were the solitudes
Of this unsighing people of the woods."

MARKING OF THE TRAIL.

The Daughters of the American Revolution on June 30, 1915, again completed an invaluable piece of work for the preservation of early history. On that date there was unveiled at Cumberland Gap—the meeting place of Tennessee, Virginia and Kentucky—a stone pedestal bearing on its four faces tablets of the Daughters of the American Revolution of North Carolina, Virginia, Tennessee and Kentucky. This pedestal was the last of the marking of the trail of Daniel Boone from his North Carolina home to Boonesboro, Kentucky. In making this trail, Boone passed through parts of the four States mentioned, and in East Tennessee through parts of Johnson, Carter, Washington and Sullivan counties. The first Tennessee marker was at Trade near the North Carolina line, the second at Shoun's, the third at Butler, the fourth at Elizabethton, the fifth at Watauga, in Carter County, the sixth at Austin Springs in Washington County, the eighth at Old Fort at the south end of Long Island in Sullivan County, the ninth at Kingsport opposite the center of Long Island, where Boone gathered the men together who were to accompany him while the negotiations at Sycamore Shoals were in progress.

The first Virginia marker is at Gate City, Scott County, the second at Clinchport, the third at the Natural Tunnel, the fourth at Duffield, the fifth at Fort Scott, the sixth at Jonesville, the seventh at Boone's Path, the eighth on the site of Fort Blackmore.

The Kentucky markers are, first, at Indian Rock not far from Cumberland Gap, the second at Pineville, the third at Flat Lake in Knox County, the fourth near Jarvis' store, the fifth near Tuttle on the Knox and Laurel County line, the sixth at Fairston, the seventh three miles and a half from East Bernstadt in a church yard, the eighth near Livingston, the ninth at Boone's Hollow, the tenth at Roundstone Station, the eleventh at Boone's Gap, the twelfth at Berea in Madison County, the thirteenth at Estell Station, the fourteenth at Boonesboro.

Cumberland Gap is one of the great historical points in American annals. It was a gateway by which civilization passed from east to west. Nature performs curious freaks sometimes, and as we look at this break in the Alleghany Mountains, we wonder how it came about and what the force was that made the great Alleghany Range bend and dip at this point, as if preparing an easy highway for civilization that sometime was to come. Cumberland Gap ought to be purchased by the United States Government and held and preserved as a park and made one of the most attractive spots in America. In all wars it has been a strategical point, and should another civil war occur, or American soil be invaded by a foreign foe, would again be so. John Preston Arthur in his History of Watauga County, North Carolina, has suggested that Congress should crown the D. A. R. pedestal at Cumberland Gap with a bronze statue of Daniel Boone clad in hunting shirt, fringed leggins, moccasins, shot-pouch, powder-horn, hunting knife and tomahawk, with the figure leaning slightly forward while peering underneath the left hand towards the West, the right hand grasping the barrel of his long flintlock Kentucky rifle with its butt resting on the ground, the figure crowned with a coon-skin cap. And Mr. Arthur correctly says that "Such a statue would identify this historical spot with this historic character, and fix forever the costume, accoutrements and arms of the pioneer of America. It is the most significant and suggestive place in America; for while Plymouth Rock was the landing place of the Puritans, Jamestown of the Cavaliers, Philadelphia of the Quakers and Charleston of the Huguenots, it was through Cumberland Gap that both Roundhead and Huguenot, Puritan and Cavalier, passed with the sober Quaker, on the way to the Golden West. Boone was their greatest and most typical leader and exemplar. He was colonel and private, physician and nurse, leader and follower, hunter and hunted, as

occasion demanded, but he was never self-seeking or a swindler. His fame is now monumental, for he had no land to sell, no private fortune to make and his record is one of unsullied patriotism. He was simply a plain man but a man all through. He was neither Northerner nor Southerner, Easterner or Westerner, but all combined, and the men, women and children who followed the glowing footsteps of this backwoods lictor were the ancestors of those who people these United States today, and make it the most enlightened, the most progressive and the most democratic nation in the world."

WATAUGA—CUMBERLAND ROAD.

The Legislature of North Carolina made provision for laying out a road from Washington Court House to Burke County in North Carolina, which was opened, and the road extended on down to Campbell's Station in Knox County, Tennessee. There guards were provided to escort emigrants and settlers along the road. This road, however, was not sufficient for the travel that was increasing over it, and provision was made for a wider and more level road in its place. This last provision made by the General Assembly of North Carolina in 1787 resulted in a road, the completion of which was announced by Colonel James Robertson in the State Gazette of North Carolina, on November 28, 1788, as follows:

"The new road from Campbell's Station to Nashville was opened on the 25th of September and the guard attended at that time to escort such persons as were ready to proceed to Nashville; that about sixty families had gone on, among whom were the widow and family of the late General Davidson and John McNairy, Judge of the Superior Court; and that on the first day of October next the guard would attend at the same place for the same purpose."

The road from Campbell's Station ran through Roane County to South West Point, now Kingston, Tennessee and the route of the road to Nashville was largely along the line of the present Tennessee Central Railroad, touching well-known points as Kingston, Post Oak Springs, Crab Orchard, Crossville, Lebanon, Nashville.

In 1792 a fort was established at South West Point and Captain McClellan and a detachment of United States troops were located there to prevent incursions of Cherokee Indians. This garrison was maintained until 1806 or 1807 when it was moved to a point

on the right bank of the Tennessee River about six miles from Dayton, Tennessee.

The town of Kingston was established by Act of the Territorial Legislature on October 23d, 1799, on lands of Robert King, and the Act provided that the town should be called Kingston. King lived in a cabin where the present Exchange Hotel in Kingston is located. Matthew Nelson, who has descendants now living in Knoxville, established a tavern in Kingston in 1808. He subsequently became Treasurer of Tennessee.

Haywood says that about July 31, 1795, a wagon road from Knoxville to Nashville was so far completed that a wagon with a load weighing a ton had actually passed over it, and that the commissioners in charge of its construction had entered into a contract for its thorough completion in the month of October and that they had ample funds in their hands for the purpose; that a day or two before this, two wagons arrived at Knoxville from South Carolina having passed through the Mountains by way of the Warm Springs on the French Broad River, so that it could be said that a wagon road had been opened from Georgia, North Carolina, South Carolina, and other Atlantic states, by way of Knoxville to Nashville, over which the stream of population began to flow to such an extent, that it was confidently expected at that time that the new census would show at least sixty thousand inhabitants.

THE CHEROKEE TREATY OF 1805.

"Articles of a Treaty between the United States of America, by their commissioners, Return J. Meigs and David Smith, who are appointed to hold conferences with the Cherokees, for the purpose of arranging certain interesting matters with the said Indians, of one part; and the undersigned chiefs and head-men of the Cherokees, of the other part.

"Art. 1. Whereas it has been represented by the one party to the other, that the section of land on which the garrison of Southwest Point stands, and which extends to Kingston, is likely to be a desirable place for the Assembly of the State of Tennessee to convene at, (a committee from that body, now in session, having viewed the situation) now the Cherokees, being possessed of a spirit of conciliation, and seeing that this tract is desired for public purposes, and not for individual advantages, reserving the ferries to themselves, quit claim and cede to the United States the said section of land, understanding, at the same time, that the buildings erected by the public are to belong to the public, as well as the occupation of the same, during the pleasure of the

Government; we also cede the United States the first island in the Tennessee, above the mouth of Clinch.

"Art. 2. And whereas the mail of the United States is ordered to be carried from Knoxville to New Orleans, through the Cherokee, Creek and Choctaw countries, the Cherokees agree that the citizens of the United States shall have, so far as it goes through their country, the free and unmolested use of a road leading from Tellico to Tombigbee, to be laid out by viewers appointed on both sides, who shall direct it at the nearest and best way; and the time of doing the business the Cherokees shall be notified of.

"Art. 3. In consideration of the above cession and relinquishment, the United States agree to pay the said Cherokee Indians, sixteen hundred dollars in money, or useful merchandise, at their option, within ninety days after the ratification of this treaty.

"Art. 4. This treaty shall be obligatory between the contracting parties as soon as it is ratified by the President, by and with the advice and consent of the Senate of the United States.

"In testimony whereof, the said commissioners, and the undersigned chiefs and head-men of the Cherokees, have hereunto set their hands and seals. Done at Tellico, this twenty-seventh day of October, A. D. eighteen hundred and five.

RETURN J. MEIGS,
DANIEL SMITH,
And a number of Indians.

CHAPTER 3.

Tennessee and its Pioneer Governments—State of Franklin Memorial at Greene- ville, Tennessee.

The pioneers of Tennessee from the time that William Bean erected his cabin in 1769 to June 1st, 1796, when the State was admitted into the Union, lived under more different forms of government probably than any other people in a similar period in the history of the world. These governments were:

First, The Watauga Association from 1772 to 1777.

Second, Governed as a part of North Carolina under the name of Washington County from 1777 to 1784.

Third, The State of Franklin from 1784 to 1788.

Fourth, Governed again as a part of North Carolina as Washington County, 1788 to 1790.

Fifth, The Territory of the United States south of the Ohio River, governed by a territorial Governor and three Judges from 1790 to 1794.

Sixth, The Territory of the United States south of the Ohio River governed by a Governor, a Legislative Council and a House of Representatives from 1794 to 1796.

Seventh, The State of Tennessee, June 1st, 1796.

Submission to these numerous varieties of government proved that the pioneers believed in government and in the supremacy of law.

The Watauga Association was a voluntary organization formed by the people of Watauga in 1772 and based upon the inherent right of the people to govern themselves. They were in the wilderness surrounded by high mountains and protected by neither the Confederation on the one hand, nor North Carolina upon the other—thrown absolutely upon their own resources. The formation of the Association was a matter of necessity and was not instigated by opposition to any existing form of government, but simply because there must be a government of some kind and this was the simplest form of government. There were

five Commissioners, John Carter, Charles Robertson, James Robertson, Zach Isbill and John Sevier, who seem to have had authority to settle any kind of controversy and make rules and regulations affecting the general welfare. The Articles of Association are not in existence and there is no claim upon the part of any one to be able to state just what the articles were. The best information we have in reference to them is in the petition for annexation to North Carolina which subsequently was made, and signed by all the men then in the country.

These early settlements had a share of escaped criminals, law-breakers, horse-thieves and undesirable characters generally, and the pioneers had not only to protect themselves from the Indians but from the undesirable element in the community. The success with which the Committee of Five handled the situation was wonderful and argues in the pioneers' strong character, intense determination and general civic uprightness. It is difficult in all history to find a stronger argument in favor of any people than the Watauga Association furnishes in behalf of the pioneers of Tennessee. The five Commissioners who constituted the entire government were elected by the people and its sessions were held at regular periods. Finally the increase of business made necessary a Clerk, and he was employed. The laws of Virginia were taken as a standard by the Commission of Five.

But with the increase of population of all sorts and kinds, the menace from the Indians and the dangers of frontier life generally, the Watauga settlers concluded to make an application to the State of North Carolina to annex them to that State, and it is through the perseverance and painstaking search of Dr. J. G. M. Ramsey that the petition for annexation was found and given to the world in his "Annals of Tennessee." He says that he found the petition in an old bundle of papers on an upper shelf in the State Archives at Raleigh, North Carolina, where it had probably been lying for seventy-five years, and that it is in the handwriting of John Sevier. The historical value attached to this petition can hardly be overestimated in the light it throws upon the early history of Tennessee. It will be observed that there are but two signatures to the petition by mark, which speaks in high terms of the intelligence of the pioneers. Dr. Ramsey says that there is no date on the petition, but that it has endorsed upon it the words: "Received August 22, 1776."

PIONEER PETITION TO NORTH CAROLINA.

"To the Hon. the Provincial Council of North Carolina:

"The humble petition of the inhabitants of Washington District, including the River Wataugah, Nonachuckie, &c., in committee assembled, Humbly Sheweth, that about six years ago, Col. Donelson, (in behalf of the colony of Virginia,) held a Treaty with the Cherokee Indians, in order to purchase the lands of the Western Frontiers; in consequence of which Treaty, many of your petitioners settled on the lands of the Wataugah, &c., expecting to be within the Virginia line, and consequently holding their lands by their improvements as first settlers; but to their great disappointment, when the line was run they were (contrary to their expectation) left out; finding themselves thus disappointed, and being too inconveniently situated to remove back, and feeling an unwillingness to loose the labor bestowed on their plantations, they applied to the Cherokee Indians, and leased the land for the term of ten years, before the expiration of which term, it appeared that many persons of distinction were actually making purchases forever; thus yielding a precedent, (supposing many of them, who were gentlemen of the law, to be better judges of the constitution than we were,) and considering the bad consequences it must be attended with, should the reversion be purchased out of our hands, we next proceeded to make a purchase of the lands, reserving those in our possession in sufficient tracts for our own use, and resolving to dispose of the remainder for the good of the community. This purchase was made and the lands acknowledged to us and our heirs forever, in an open treaty, in Wataugah Old Fields; a deed being obtained from the Chiefs of the said Cherokee nation, for themselves and their whole nation, conveying a fee simple right to the said lands to us and our heirs forever, which deed was for and in consideration of the sum of two thousands pounds sterling, (paid to them in goods) for which consideration they acknowledged themselves fully satisfied, contented and paid; and agreed, for themselves, their whole nation, their heirs, &c., forever to resign, warrant and defend the said land to us, and our heirs &c., against themselves, their heirs, &c.

"The purchase was no sooner made than we were alarmed by the reports of the present unhappy differences between Great Britian and America, on which report, (taking the now united colonies for our guide) we proceeded to choose a committee, which was done unanimously by consent of the people. This committee (willing to become a party in the present unhappy contest) resolved, (which is now on our records,) to adhere strictly to the rules and orders of the Continental Congress, and in open committee acknowledged themselves indebted to the united colonies their full proportion of the Continental expense.

"Finding themselves on the Frontiers, and being apprehensive that, for the want of a proper legislature we might become a shelter

for such as endeavoured to defraud their creditors; considering also the necessity of recording Deeds, Wills, and doing other public business; we, by consent of the people, formed a court for the purposes above mentioned, taking (by desire of our constituents) the Virginia laws for our guide, so near as the situation of affairs would admit; this was intended for ourselves, and was done by the consent of every individual; but wherever we had to deal with people out of our district, we have ruled them to bail, to abide by our determinations, (which was, in fact, leaving the matter to reference,) otherways we dismissed their suit, lest we should in any way intrude on the legislature of the colonies. In short, we have endeavored so strictly to do justice, that we have admitted common proof against ourselves, on accounts, &c., from the colonies, without pretending a right to require the Colony Seal.

"We therefore trust we shall be considered as we deserve, and not as we have (no doubt) been many times represented, as a lawless mob. It is for this very reason we can assure you that we petition; we now again repeat it, that it is for want of proper authority to try and punish felons, we can only mention to you murderers, horse-thieves and robbers, and we are sorry to say that some of them have escaped us for want of proper authority. We trust, however, this will not long be the case; and we again and again repeat it, that it is for this reason we petition to this Honorable Assembly.

"Above we have given you an extract of our proceedings, since our settling on Wataugah, Nonachuckie, &c., in regard to our civil affairs. We have shown you the causes of our first settling and the disappointments we have met with, the reason of our lease and of our purchase, the manner in which we purchased, and how we hold of the Indians in fee simple; the causes of our forming a committee, and the legality of its election; the same of our Court and proceedings, and our reasons for petitioning in regard to our legislature.

"We will now proceed to give you some account of our military establishments, which were chosen agreeable to the rules established by convention, and officers appointed by the committee. This being done, we thought it proper to raise a company on the District service, as our proportion, to act in the common cause on the seashore. A company of fine riflemen were accordingly enlisted, and put under Captain James Robertson, and were actually embodied, when we received sundry letters and depositions, (copies of which we now enclose you,) you will then readily judge that there was occasion for them in another place, where we daily expected an attack. We therefore thought proper to station them on our Frontiers, in defense of the common cause, at the expenses and risque of our own private fortunes, till farther public orders, we flatter ourselves will give no offence. We have enclosed you sundry proceedings at the station where our men now remain.

"We shall now submit the whole to your candid and impartial judgement. We pray your mature and deliberate consideration in our behalf, that you may annex us to your Province, (whether as county, district, or other division,) in such manner as may enable us to share in the glorious cause of Liberty; enforce our laws under authority, and in every respect become the best members of society; and for ourselves and constituents we hope, we may venture to assure you, that we shall adhere strictly to your determinations, and that nothing will be lacking, or anything neglected, that may add weight (in the civil or military establishments) to the glorious cause in which we are now struggling, or contribute to the welfare of our own or ages yet to come.

"That you may strictly examine every part of this our Petition, and delay no time in annexing us to your Province, in such a manner as your wisdom shall direct, is the hearty prayer of those who, for themselves and constituents, as in duty bound, shall ever pray.

John Carter Chn.
Charles Robertson,
James Robertson,
Zach. Isbell,
John Sevier,
James Smith,

Jacob Brown,
Wm. Been,
John Jones,
George Rusel,
Jacob Womack,
Robert Lucas,

The above signers are the Members in Committee assembled.

Wm. Tatham, Clerk P. T.

Jacob Womack,
Joseph Dunham,
Rice Durroon,
Edward Hopson,
Lew. Bowyer, D. Atty.
Joseph Buller,
Andw. Greer,
 his
Joab X Mitchell,
 mark
Gideon Morris,
Shadrack Morris,
William Crocket,
Thos. Dedmon,
David Hickey,
Mark Mitchell,
Hugh Blair,
Elias Pebeer,
Jos. Brown,
John Neave,
John Robinson,
Christopher Cunningham,
Jas. Easeley,

John McCormick,
Adam Sherrell,
Samuel Sherrell, junr.
Samuel Sherrell, senr.
Ossa Rose,
Henry Bates, jun.
Jos. Grimes,
Christopher Cunningham, sen.
Joshua Barten, Sen.
Joud. Bostin, sen.
Henry Bates, jun.
Will'm Dod,
Groves Morris,
Wm. Bates,
Rob't Moseley,
Ge Hartt,
Isaac Wilson,
Jno. Waddell,
Jarret Williams,
Oldham Hightower,
Abednago Hix,
Charles McCartney,
Frederick Vaughn,

Ambrose Hodge,	Jos. McCartney,
Dan'l Morris,	Mark Robertson,
Wm. Cox,	Joseph Calvit,
John Brown,	Joshua Houghton,
Jos. Brown,	James Easley,
Job Bumper,	John Haile,
Isaac Wilson	Elijah Robertson,
Richard Norton,	William Clark,
George Hutson,	his
Thomas Simpson,	John X Dunham,
Valentine Sevier,	mark
Jonathan Tipton,	Wm. Overall,
Robert Sevier,	Matt. Hawkins,
Drury Goodan,	David Crocket,
Richard Fletcher,	Edw'd Cox,
Ellexander Greear,	Tho's Hughes,
Jos. Greear,	William Roberson,
Andrew Greear, jun.	Henry Siler,
Teeler Nave,	Frederick Calvit,
Lewis Jones,	John Moore,
John I. Cox,	William Newberry,
John Cox, jr.,	John Chukinbeard,
Abraham Cox,	James Cooper,
Emanuel Shote,	William Brokees,
Thos. Houghton,	Julius Robertson,
Jos. Luske,	John King,
Wm. Reeves,	Michael Hider,
David Hughes,	John Davis,
Landon Carter,	John Barley,"

The pioneers had been living under the government of the Watauga Association for four years when this petition was presented to the legislature, and that body did not put into effect the request for annexation until November 1777, when it formed Washington District, which was the name the pioneers had given to their country, into Washington County, and gave to the County the boundaries of the whole of the present State of Tennessee. At the same session of the Legislature it was provided that a land office should be opened in Washington County with liberal provisions for taking up land.

The motives leading the pioneers to seek annexation to North Carolina are set out in the petition quoted; the motive of North Carolina in accepting the annexation was the motive of self-interest through the acquirement of a large territory. Looking back on the situation from our day, it is difficult to see how anything but disappointment, dissatisfaction and final rupture, could

have been the result of this annexation. The Watauga people were far removed from North Carolina, separated by a high mountain range, had no wealth to tax, with practically no money in circulation, a new country to be developed from the very beginning.

On the other hand, the State of North Carolina, while better developed, was hardly able to take care of itself. The Revolutionary War began shortly after the Declaration of Independence in 1776, and the Whig element in North Carolina adhered to the American cause while the Tory element adhered to Great Britain. The State was divided and was under the heel of the British Army which had practically subjugated the entire State. North Carolina, therefore, was in no condition to help the Watauga people. In fact, but for the Watauga people the Battle of King's Mountain would have been lost, and North Carolina in all probability placed indefinitely in the grasp of Great Britain.

Between the two parties to the annexation it would seem that the Watauga people were better able to take care of themselves independently than North Carolina was to take care of herself independently.

North Carolina at no time exercised any real control over the Western people. The annexation was a practical nullity from the start, and the Watauga people saw that there were no benefits to be derived from North Carolina, but they put up with the situation from 1777 to 1784, when, patience ceasing to be a virtue, they organized the State of Franklin which continued in existence until 1788.

To show the feeling of North Carolina towards the mountain people it is only necessary to refer to the action of the legislature of that State at the April Session in 1784 when it ceded to the United States the Western country, now the State of Tennessee, and gave the government two years in which to decide whether it would accept the gift; North Carolina, during the two years, to retain jurisdiction over the Territory. It was not at all difficult for the pioneers to see that if North Carolina was so desirous of getting rid of them, that during the two years they had absolutely less than nothing to expect from that State. The legislature at the same session that offered the Territory to the United States closed the land office in Washington County.

No Tennessean who has carefully read the early history of the State can blame the pioneers for establishing the State of Franklin.

It was justifiable from any standpoint from which it can be viewed. The mistake was that they ever petitioned the State of North Carolina for annexation; if that had never been done the right to organize the State of Franklin would have been just as unquestionable as their right to organize the Watauga Association; but for all practical purposes they were in the same condition when they organized the State of Franklin, and this movement, like their first effort at government, was the product of necessity. King's Mountain forever settled the fact that the Watauga people were much better able to protect and assist North Carolina, than North Carolina was to assist and protect the Watauga people. The Battle of the Alamance, where the patriot Whigs had been scattered to the four winds and about one hundred and sixty of them compelled to take refuge on the Western waters, had so demoralized the situation in North Carolina that the State was absolutely at the mercy of the British Army. John Sevier and Isaac Shelby redeemed North Carolina when they organized the pioneers, and by a bold and masterly stroke, went in search of Ferguson and conquered him, instead of waiting for Ferguson to carry out his threat to come to the Western waters and hang the leaders and burn their homes. Annexation had been in force for three years when King's Mountain was fought, and notwithstanding the pioneers knew that they had saved North Carolina, they tolerated the weakness of that State and its total inability to be of any service to the Western people for four years before they organized, as a matter of necessity, the State of Franklin. Neither the State of Franklin nor any of the men who brought it into existence need any apology for what was done.

The little State would have been able to protect itself as a little independent republic until it developed population sufficient to become a State of the Union, had not internal dissensions among the politicians brought about trouble. These dissensions are indicated sufficiently in the chapters on John Sevier and need not be repeated at this place.

Finally, in 1788, when the State of Franklin collapsed, North Carolina resumed nominal control of the Western people, and there was practically no improvement during the next two years, when it was ceded in 1790 to the United States, and became the Territory of the United States south of the Ohio River.

The movement to establish the State of Franklin showed North Carolina the necessity of repealing the act of cession to the United

States, which was done in 1784, and of showing some interest in the Western people, and, if possible, of crushing the movement for a new State. North Carolina appointed John Sevier Brigadier-General of Washington County, and established a court in that County, with David Campbell as one of the Judges, but the revolution had started and could not be turned back. The Franklin government was finally established in 1785, and the first Franklin legislature met, which was the first legislative body that ever met on the soil of the State of Tennessee, and the last session of that body was in September, 1787. Prior to this appointment of John Sevier as Brigadier-General there was no Brigadier-General authorized by law to call out the militia of the different counties, or to take charge of any movement on sudden emergencies, like an Indian attack, and Indian aggressions were continuing from time to time.

The act of cession had made political orphans of the Watauga people who were cast off by North Carolina, with Congress to have two years to decide whether or not it would accept them.

The State of Franklin was organized as a matter of sheer self-protection.

DEDICATION OF STATE OF FRANKLIN MEMORIAL.

On Flag Day, June 14, 1918, at Greeneville, Tennessee, Samuel Doak Chapter, Daughters of the American Revolution, unveiled and dedicated a memorial to the State of Franklin, which was erected on the site of the Capitol of that early Commonwealth in the court house yard in Greeneville. A Committee consisting of the officers of the Chapter had the erection and dedication of the Memorial in charge as follows:

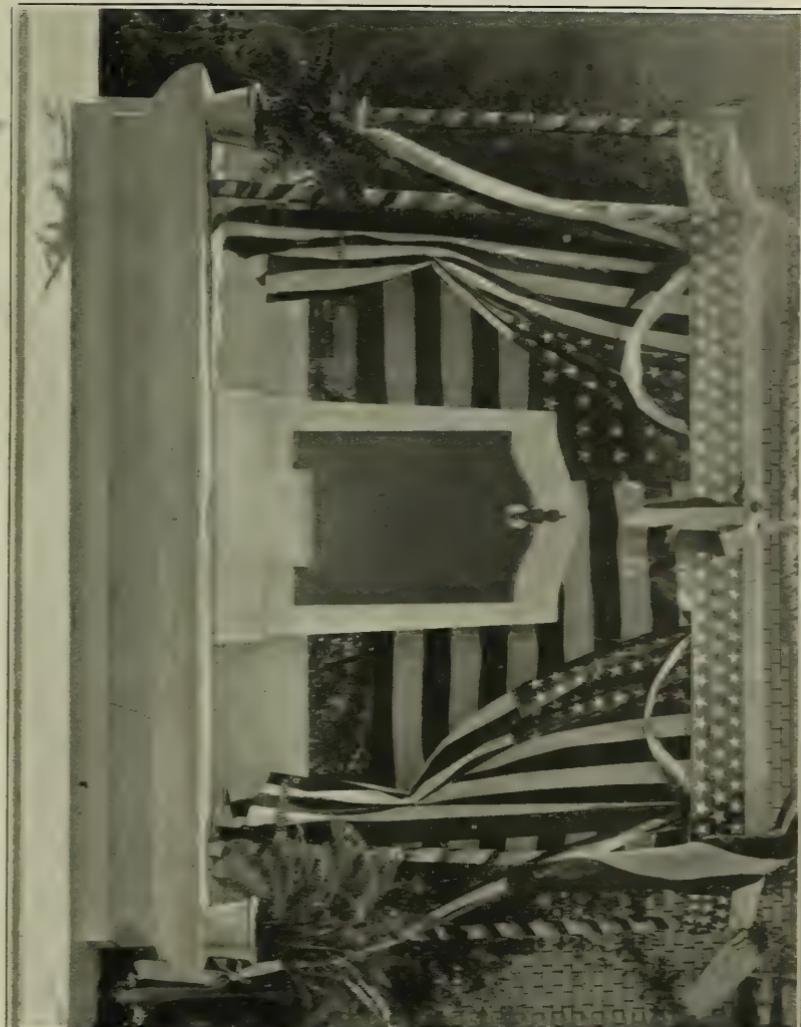
Mrs. E. M. Grant, Chairman	Mrs. E. C. Eckel,
Miss Sara Carriger	Miss Mary Belle Watkins
Mrs. John E. Helms	Mrs. E. A. Peck
Mrs. D. C. Morris	Mrs. W. C. Hale

The County Courts of Sullivan and Greene Counties, which were a part of the State of Franklin, contributed \$250.00 each toward the expense of the Memorial, the Cherokee and Mothers Clubs of Greeneville raised \$500.00, Samuel Doak Chapter gave \$150.00, and the Sons of the Revolution, various Chapters of the Daughters of the Revolution throughout the State, and the Junior Order of American Mechanics, of Greeneville, also contributed.

Monument to the State of Franklin erected on Flag Day, June 14, 1918. In the Court-house yard at Greeneville, Tennessee, on the site of the Capitol of Franklin. Photographed while decorated on the day of its unveiling.

"1785-1788. To commemorate the Capitol of the State of Franklin, and to honor Governor John Sevier and the patriotic pioneers who followed him in the War of the Revolution and assisted in establishing in the wilderness the foundation of law and liberty." "Erected 1918 through the efforts of the Samuel Deak Chapter of the Daughters of the American Revolution, Morristown, Tennessee."

INSCRIPTION:



The program consisted of two parts, as follows:

PART I.

Court House Lawn.

Song—America; leaders Mrs. Ernest Armitage, accompanied by the Greeneville Orchestra.

Invocation—Rev. Robt. Yost.

Response—Mrs. John E. Helms, Regent Samuel Doak Chapter.

Unveiling—By lineal descendants of John Sevier.

Dedication—Mrs. E. M. Grant, Chairman of Committee, Samuel Doak Chapter.

Acceptance of Memorial—Mrs. W. C. Allen, Chairman of Greeneville Committee.

Music—Star Spangled Banner and patriotic airs.

PART II.

Circuit Court Room.

Historic Sketch of State of Franklin—Dr. Lloyd Courtney.

Patriotic Address—Hon. James B. Frazier.

THE TERRITORIAL GOVERNMENT.

On July 13th, 1787, the Congress of the United States passed an ordinance "for the government of the Territory of the United States north-west of the River Ohio" and prescribing regulations for that territory. It provided for a Governor appointed by Congress for three years who should reside in the territory and have a free-hold estate of one thousand acres of land; for a Secretary appointed by Congress who should hold for a term of four years and have a free-hold estate of five hundred acres; also for a Court consisting of three Judges who should reside in the territory and each should have a free-hold estate of five hundred acres of land, and they should serve during good behavior.

The Governor and Judges, or a majority of them, were authorized to adopt and publish in the territory such laws as they might think necessary and best suited to the circumstances of the territory, and report them to Congress from time to time, which laws would remain in effect unless disapproved of by Congress, or, changed by the Legislature which the Ordinance authorized to be elected when the Territory had five thousand free male inhabitants

of full age. When it should be ascertained that the Territory had the five thousand population, a House of Representatives was to be elected consisting of one representative for every five hundred free male inhabitants, and so on, progressively, with the number of free male inhabitants, the right of representation should increase until the number of representatives should amount to twenty-five, each representative to be elected for a term of two years.

The House of Representatives was to be a part of the General Assembly or Legislature of the Territory, which was to consist of the Governor, the Legislative Council, and the House of Representatives. The Legislative Council was to consist of five members holding office for five years, selected by Congress out of ten nominated by the House of Representatives. The General Assembly or Legislature had authority to make all the laws for the good government of the territory not repugnant to the Ordinance of 1787.

The Ordinance provided also that there should be neither slavery nor involuntary servitude in the territory except as a punishment for crime whereof the party should have been duly convicted.

The Ordinance of 1787 was made applicable by Congress May 26, 1790, to "the Territory of the United States to the South of the River Ohio" with the exception "that no regulations made or to be made by Congress shall tend to emancipate slaves" in said territory south of the Ohio.

Under this ordinance President Washington appointed William Blount Governor and Superintendent of Indian Affairs; Daniel Smith, Secretary to the Governor; David Campbell, Joseph Anderson, and John McNairy, Judges; John Sevier, Brigadier General for Washington District; James Robertson, Brigadier General for the Mero District. The Governor was authorized to appoint all military officers below the grade of Brigadier General.

The Ordinance of 1787 provided that as soon as there were five thousand free male inhabitants of full age in the territory, upon giving proof thereof to the Governor, they should receive authority with time and place to elect representatives from their counties or townships to represent them in the General Assembly. Proof having been made to him that there were the requisite five thousand inhabitants of the full age in the territory, Governor Blount proceeded to carry out this provision of the Ordinance of 1787 by issuing his proclamation as follows:

PROCLAMATION

BY

WILLIAM BLOUNT,

Governor in and over the territory of the United States of America, South of the River Ohio.

AN ORDINANCE, giving authority for the election of representatives to represent the people in General Assembly.

PROOF having been made to me, that there are five thousand and upwards of free male inhabitants, of full age, in the said Territory: I DO give authority for the election of representatives to represent the people in General Assembly; and do ordain, that an election shall be held by ballot, for thirteen representatives, to represent the people for two years in General Assembly, on the third Friday and Saturday in December next, qualified as provided and required by the ordinance of Congress, of July 13th, 1787, for the government of the territory north of the Ohio, and by free male inhabitants, of full age qualified as electors; as also provided and required by the said ordinance, of whom the electors of the counties of Washington, Hawkins, Jefferson, and Knox, shall elect two each for said counties; and the electors for the counties of Sullivan, Greene, Tennessee, Davidson and Sumner, shall elect one for each of those counties.

AND BE IT ORDAINED, That the said election for the representatives to represent the people in general assembly, shall be held at the Court houses in each county by the Sheriff thereof; and in case of his absence or inability, his deputy, or the coroner thereof, with the advice and the assistance of inspectors of the polls, in the manner and form as prescribed and directed by the laws of North Carolina, respecting the holding of election in that State. And the said Sheriff or other officer holding the said election, is directed and required to report to the secretary's office at Knoxville, as early as may be the name or names of persons duly elected, to represent the respective counties.

Done at Knoxville, in the Territory aforesaid, this the 19th day of October 1793. WM. BLOUNT.

The election was duly held and the Territorial Legislature assembled at Knoxville February 24, 1794, and chose David Wilson Speaker, and Hopkins Lacy, Clerk. The members of the Legislature elected were: David Wilson of Sumner County; Leroy Taylor and John Tipton of Washington; George Rutherford of Sullivan; Joseph Hardin of Greene; William Cocke and Joseph McMinn of Hawkins; Alexander Kelly and John Beard of Knox; Samuel Wear and George Doherty of Jefferson; Thomas White of Davidson; James Ford of Tennessee.

The Legislature nominated the following from which five were to be selected to compose the Legislative Council: James Win-

chester, William Fort, Stockley Donelson, Richard Gammon, David Russel, John Sevier, Adam Meek, John Adair, Griffith Rutherford, and Parmenas Taylor. From this number Congress selected Griffith Rutherford, John Sevier, James Winchester, Stockley Donelson, and Parmenas Taylor, and they were duly commissioned by President George Washington. George Rutherford was elected President of the Legislative Council: George Roulstone, Clerk; Christopher Shoat, Doorkeeper. So the General Assembly or Legislature of the Territory was completely organized.

The House of Representatives followed the rule of the English House of Commons in permitting a member to sit with his hat on when the House was in session.

Rule VIII of the "Rules of Decorum" provides:

"He that digresseth from the subject to fall upon the person of any member shall be suppressed by the Speaker."

The interest in education of the General Assembly in that backwoods country was very remarkable. It incorporated three colleges which, or their lineal descendants, are in existence today, viz: Greenville College in Greene County; Blount College, the progenitor of the University of Tennessee, in Knox County; and Washington College in Washington County.

CHAPTER 4.

Knoxville and Gen. James White, its Founder—The White Family.

The period covered by this book—the life of Andrew Jackson, 1767-1845—forbids any account of Knoxville, Nashville, Memphis, and Chattanooga, after they had reached the population and dimensions of cities. In 1845, the year of General Jackson's death, Knoxville had between 1,500 and 2,000 population; Nashville about 8,500; Memphis about 8,000, and Chattanooga less than one thousand. Our interest in them at that early day is as a part of the developing State, which was a little past the pioneer period; as to Knoxville and Nashville especially, the one being founded in 1791, and the other in 1780, our interest is strongly historical.

Knoxville is in Latitude $35^{\circ} 56'$, Longitude $85^{\circ} 58'$ and is the geographical center of the valley of East Tennessee, which contains about 9,200 square miles. The city was named for General Knox, the Secretary of War in Washington's cabinet, as was also the County of Knox in which it is located. The county was formed by ordinance of territorial Governor William Blount, from parts of Hawkins and Greene Counties in 1792. Five days after the Governor's ordinance establishing the county, he appointed fifteen Justices of the Peace to constitute the Court of Pleas and Quarter Sessions, and the first court was held at the house of John Stone, July 16, 1792. The lawyers admitted to practice in this Court were men who afterwards became distinguished in Tennessee: Luke Bowyer, Alexander Outlaw, Archibald Roane, Hopkins Lacy, John Rhea, James Reese, and John Sevier, Jr. The Court was prompt in taking steps to open roads from Knoxville, and on January 26, 1793, commissioners were appointed to contract for the building of a log jail 16 feet square, also to erect a courthouse. The pioneer merchants were Nathaniel and James Cowan and Hugh Dunlap. Goods were brought from Philadelphia and Baltimore overland. It took Hugh Dunlap from December, 1791, to February 1st, 1792, to bring goods to Knoxville by wagon from Philadelphia.

In 1795 the United States government gave Knoxville a bi-monthly mail, and George Roulstone, the publisher of the Knoxville Gazette, was the Postmaster.

The city was founded, named and laid out in 1791, but it is probable that nothing much was done in the building line until 1792, and this is usually the date given for the founding and laying out of the city. Ramsey says that some of the lots were sold in 1791, but that no considerable improvement was commenced until February, 1792, when several small buildings were erected. Some of the writers give 1792 as the date when Colonel Charles McClung surveyed the lots and laid out the town, but there is a document that would seem to settle the question in favor of 1791. This document was published in the Knoxville Gazette of December 17, 1791, and every resident of the present city will doubtless read it with intense interest, for it goes back to the very beginning of things in Knoxville, and names are attached to it that will be readily recognized. Families here can trace their ancestry to some of the signers.

"KNOXVILLE, October 3, 1791.

"Articles of agreement made and concluded on this third day of October, 1791, by and between James White, proprietor of the land laid off for the town of Knoxville, of the one part, and John Adair, Paul Cunningham, and George McNutt, commissioners appointed in behalf of the purchasers of the lots in the town of Knoxville, of the other part, all of Hawkins County, and Territory of the United States of America South of the Ohio River, WITNESSETH that the said James White do bargain and sell to the subscribers for lots in the said town, 64 lots, each containing one-half acre square, reserving 8 lots which are not to be loted for. The said town to be loted for and drawn in a fair lottery by the said commissioners in behalf of the subscribers, on the third of October aforesaid; and further, the said James White doth hereby bind himself, his heirs, executors, administrators, and assigns to make, or cause to be made, a good and sufficient title for each lot to the person drawing the same, as soon as payment is made, agreeable to the terms of sale of said lots. And we the commissioners aforesaid, do covenant and agree in behalf of the said purchasers, to superintend the drawing of the tickets for the said lots and that we will do equal justice between the parties, without fear or affection to any, whether present or absent, and the said James White doth agree that all the lands lying between the said town and the river, one pole in breadth along the river bank excepted and all the land between the town and the creek, as far as the southeast corner of Broad street, with a street thirty-three feet wide around the remainder of the town, shall be commons for the said town. And

further that the lots for which payment hath not been made agreeable to the articles of sale of the said lots, shall be for the use of the said James Whire, he, when selling them, binding the purchasers to abide by the rules and regulations which shall be made by the aforesaid commissioners. And the said commissioners shall have power to act, and to regulate all matters respecting the said town, until an act of assembly shall be made for the rules and regulations thereof. And further it is agreed that any person refusing to comply with the rules for building and other necessary expense, shall pay to the said commissioners a sum not exceeding five dollars for such refusal made. The fines shall be collected and applied to the use and benefit of said town.

"In witness whereof, we have hereunto set our hands this third day of October, 1791.

Teste:

Charles McClung,
James Cozby,

James White,
John Adair,
Paul Cunningham,
Geo. McNutt,

James White, 1.
James W. Lackey, 2.
His Excellency William Blount, 3.
James Armstrong, 4.
William Davidson, 5.
Andrew and J. Belfour, 6.
John Hays, 7.
Thomas Amis, 8.
Jacob Brown, 9.
James Knox, 10.
James Richardson, 11.
William Boyd, 12.
Thomas Amis, 13.
James Hodges, 14.
Hon. Judge Anderson, 15.
John Gehon, 16.
Ignatius and J. Chisholm, 17.
John Carter, 18.
James Cozby, 19.
Thomas King, 20.
Rev. Mr. Carrick, 21.
Jacob Carper, 22.
John Love, 23.
John Owens, 24.
James Greenway, 25.
Jacob Carper, 26.
George Roulstone, 27.
Reserved Lot, 28.

Reserved Lot, 29.
Andrew and J. Belfour, 30.
John Rhea, 31.
Matthew A. Atkinson, 32.
Rev. Mr. Carrick, 33.
John Stone, 34.
Hon. Judge Campbell, 35.
Reserved Lot, 36.
Reserved Lot 37.
Samuel Hannah, 38.
Jacob Carper, 39.
George Roulstone, 40.
Andrew Green, 41.
John Adair, 42.
William Lowery, 43.
Nathaniel Cowan, 44.
Samuel McGaughey, 45.
William Henry, 46.
William Cox, 47.
John Chisholm, 48.
John King, Sr., 49.
Lewis Newhouse, 50.
Peter McNamee, 51.
Nicholas Perkins, 52.
Daniel Hamblin, 53.
John Hackett, 54.
Jacob Carper, 55.
Robert Legitt, 56.
Adam Peck, 57.
David Allison, 58.

James and W. Lea, 59.
 John Troy, 60.
 William Small, 61.

Hugh Fulton, 62.
 James Miller, 63.
 Thomas Smith, 64.

"We, the commissioners, do certify that the above names are set apposite the numbers agreeable to the lottery as they were drawn.

"John Adair,
 "Paul Cunningham,
 "George McNutt."

"N. B.: Those persons who subscribed for lots are desired to pay the purchase money immediately, otherwise their subscription will be deemed void, and the lots disposed for the benefit of the proprietor."

Another document following the agreement as to the lots is the act passed by the territorial Legislature in September, 1794, establishing Knoxville, which is of great interest to the present citizens, and follows in full:

ACT ESTABLISHING KNOXVILLE.

"An act for establishing Knoxville, on the north bank of Holston, and immediately below the second creek that runs into Holston on the north side, below the mouth of French Broad river, and for appointing commissioners for the regulation thereof.

"Whereas, In the year one thousand seven hundred and ninety-one it was found expedient to establish a town on the north bank of Holston, immediately below the second creek that runs into the north side of the same, below the mouth of French Broad, Governor Blount having determined to fix the seat of government on the said spot; and, whereas, a town was accordingly laid out by James White at the above described place, and called Knoxville, in honor of Major General Henry Knox, consisting of the necessary streets and sixty-four lots, numbered from one to sixty-four, as will more fully appear, reference being had to the plat of said town.

"Section 1. Be it enacted by the governor, legislative council, and house of representatives of the Territory of the United States of America South of the River Ohio, that a town be established on the above described spot of ground, which shall continue to be known, as heretofore, by the name of Knoxville, in honor of Major General Knox, consisting of the necessary streets and sixty-four lots, from number one to sixty-four, agreeable to the plan of the said town, made in the year one thousand seven hundred and ninety-one.

"Sec. 2. And be it enacted, that Colonel James King, John Chisholm and Joseph Greer, Esquires, George Roulstone and Samuel Cowan be and hereby are appointed commissioners of the said town, with power to regulate the same, and, if necessary, with the consent of the proprietor, to enlarge it.

"Sec. 3. And be it enacted, That a correct plan of the said town as originally laid off in the year one thousand seven hundred and ninety-one, be made by the commissioners and lodged in the office of the register of the county of Knox for the benefit of all persons concerned, with their names as commissioners subscribed thereto. And that it be the duty of the said commissioners to designate the first and second corners by the fixture of a stone or stones at each corner, at least eighteen inches in the ground, and six above, and to use good care that the same be not removed or defaced."

GENERAL WHITE, FOUNDER OF KNOXVILLE.

In no way have men gained more certain and lasting remembrance than by founding cities, and instances have occurred where the founder of a city being uncertain or his identity lost in the early dawn of time, that legend and tradition have ascribed the founding to some man or deity who has thus come down to us clothed in the honors of antiquity.

In America, we not only join in that age-old honor the world has always given to men who founded cities, but we have, from the beginning of our government, acted upon the idea that we were conferring high honor upon our great men by giving to cities their names. We have called Washington for George Washington; Jefferson City for Thomas Jefferson; Houston for Sam Houston; Jackson for Andrew Jackson; Knoxville for General Knox; Nashville for General Nash; Hamilton for Alexander Hamilton; Tyler for John Tyler; Austin for Stephen Austin; and numerous other instances readily suggest themselves.

In the National Gallery in London there hangs one of the world's greatest paintings by Turner entitled "Dido Building Carthage," the scene of which represents Dido, the beautiful Queen and her attendants, standing amid the progressing construction of Carthage, which in later years, as a great cosmopolitan city, was to rival Rome herself. Dido laid out the boundaries of Carthage which she founded, by strips cut from a bull's hide, and the city was destined to increase in wealth and population and territory until it could challenge the Imperial City of Rome to combat upon both land and sea.

Mythology tells us that Romulus was nourished by a she wolf, and that he founded Imperial Rome, the Eternal City and Mistress of the World, whose long arms held dominion over lands and peoples from the Pillars of Hercules on the west to the Persian Gulf on the east, and whose legions bore the eagles, the emblem

of her unconquerable power, throughout the world. Romulus and Rome will live, joined together in immortality coequal with the existence of the sons and daughters of men upon the earth.

Constantinople will always bear witness that the Emperor Constantine the Great was its founder, and gave it his name, as well as gave his allegiance to the Cross as the emblem of the religion of the Gallilean; and it will continue as it has for sixteen hundred years past, in whatever hands fallen, the city of the imperial ruler. Constantine called into existence a city which, while others have flourished or decayed, must live while land and sea and the ambitions of men guide the steps of human destiny.

Peter the Great gave his name to St. Petersburg, the capital of the Russian Empire which he ordered into existence, and without more to recall him, the great ruler will live on.

These are some of the great mythological and historical founders. Men in other lands and ages have founded cities, some great and some small, but in no case has the founder ever been forgotten.

General James White did not found a Carthage or a Rome or a Constantinople or a St. Petersburg, but he did something that was great in its help to American progress: he made himself the torch-bearer of white civilization by building Knoxville upon its hills, one of the first cities planned and founded in the Mississippi valley, and thereby wrung from the savage his dominion over the valley of East Tennessee, and pushed forward the outposts that led in the deadly combat between the white man and the red.

He did more than that. He founded a family that in the one hundred and twenty-five years since he gave Knoxville its being, has illustrated from generation to generation, all the refined, cultured virtues that have endowed the old families of the south with a prestige and character that no change of conditions, ideals or tendencies, can lower or destroy; and that to the social and business life of Knoxville where members have lived ever since the city was founded, have given always the best that was in them, which was much.

It seems strange that at no time except in the memoir of Hugh Lawson White by Nancy Scott, a great-granddaughter of Gen. James White, has any attempt been made to put the life of General White in some permanent form by which any one so desiring could become acquainted with the record of the founder of Knoxville. Except in newspaper articles, few in number, there has been

no effort made to perpetuate in any detail what General White did in the world; and what he did is eminently worthy of perpetuating. The City of Knoxville which he founded, is now moving up to 100,000 population, yet that population knows practically nothing about the man that brought the city into being. The author has passed his entire life with the exception of a few of the earliest years in Knoxville, and it is a pleasure to put in book form where it is hoped it will be perpetuated, something about the pure, courageous, manly and upright patriot who served his country, his State, and the city which he founded, in the days that tried men's souls.

General James White was born in Iredell County, North Carolina, in the year 1747, and on April 14th, 1770, he married Mary Lawson, the daughter of Hugh Lawson of North Carolina. These two names, Mary Lawson, and Hugh Lawson, have been continued among the descendants and connections of General White down to this day. The following children were born to the couple:

Margaret, who married Colonel Charles McClung;

Hugh Lawson, who married, first, Elizabeth Carrick; second, Mrs. Ann E. Peyton;

Moses, who married Isabella McNutt;

Andrew;

Mary McConnell, who married, first, Dr. Francis May; second, Judge John Overton, who was one of the Supreme Judges of Tennessee and the lifelong friend and adviser of Andrew Jackson;

Cynthia, who married General Thomas A. Smith; . . .

Melinda, who married Colonel John Williams.

Some of these have descendants now living in Knoxville.

General White served his country in the Revolutionary War, and was Captain in the North Carolina militia in 1779-1781. After locating land in and near Knoxville, he returned to North Carolina and moved his family to Fort Chiswell, Virginia, and planted a crop there, and in 1785 he moved his family to the present Knox County, Tennessee, and settled above the junction of the French Broad and Holston Rivers, from which locality he moved to Knoxville in 1786. He was a member of the Franklin Legislature and also of the Territorial House of Representatives.

While General White had reached the age of thirty-nine years when he came to Knoxville, he had not attained any special prominence or importance either as a man of wealth or in the public service of his country. That his service in the revolutionary War was

faithful goes without saying, but that which entitles him to be remembered by posterity was done after making his permanent home in this State. Admirers of Governor John Sevier will be glad to know that General White was a loyal friend of the Governor at all times, and never swerved in his friendship and support. When the State of Franklin collapsed in 1788, General White was elected a representative of Hawkins County in the Legislature of North Carolina that sat in 1789. He was also a delegate to the North Carolina Convention on November 21 which ratified the Federal Constitution, and thereby made North Carolina one of the sisterhood of States.

The friendship between General White and Governor William Blount seems to have been as cordial and loyal as that between the General and Governor Sevier; and Governor Blount, by virtue of his authority as Territorial Governor, appointed General White, who was then Captain White, a Justice of the Peace and Major, and selected White's Fort as the seat of government, changing its name to Knoxville. Governor Blount also gave him the appointment of Lieutenant Colonel Commandant. After Knox County was established on June 11, 1792, General White as a Justice of the Peace and member of the Court of Pleas and Quarter Sessions, which corresponds to our present County Court, was elected Chairman of the Court, and filled the position for a long time. When the Cherokees started on their expedition to destroy Knoxville and butcher its inhabitants, General White at the head of forty men took charge of the defense of the town and its people.

General White donated the land upon which Blount College, First Presbyterian Church and the adjoining cemetery now stand. Blount College was located on the block in the City of Knoxville on which Knoxville's first high building—the Knoxville Bank and Trust Company Building—stands, the block being bounded by Gay and State Streets, and Clinch and Church Avenues.

When the convention met to form a constitution for the State of Tennessee, General White was a member of the Convention from Knox County, and was a State Senator in the first Legislature that met in 1796, and was Speaker of the Senate the next year.

One of the fine things in his record which exhibits him as a man of gratitude, was when he resigned his position as Speaker of the Senate and member of that body from Knox County, in

order that William Blount, who had been expelled from the United States Senate, might step into his shoes as Senator and Speaker, which he did.

In 1798 the United States government appropriated \$25,880.00 for the purpose of the negotiation of a settlement of the boundary between the Cherokees and the whites. Some of the white settlers had crossed what was known as the Experimental Line, and the Federal Government had ordered a removal of the trespassers, and proposed a treaty with the Cherokees to define the boundary.

General White was named one of the representatives of Tennessee by Governor Sevier, as shown on the executive journal.

"James White, Brigadier-General of the District of Hamilton, commissioned as Agent on the part of the State of Tennessee, with full power to attend the treaty which the President of the United States has authorized to be held with the Cherokees, and there to state the obligations of the United States to extinguish the Cherokee claim to such lands as have been granted to individuals by the State of North Carolina, and in all things to represent the interests of the State of Tennessee."

Col. Thomas Butler, and George Walton, Esq., represented the United States in the negotiations with the Cherokees.

Two meetings were held, and the last meeting at Tellico Blockhouse on September 20, 1798, was successful, and the boundary was agreed upon and the treaty provided that it should be marked. The Cherokees received for their cession of territory five thousand dollars, and an annuity of one thousand dollars.

General White was re-elected to the Senate in 1801-1803 and made Speaker.

He was made Brigadier-General of the District of Hamilton, created by Governor Blount, in 1793, consisting of Knox and Jefferson Counties, and in 1813 in the Creek War he took part as a Brigadier-General in the State of Alabama. He died in Knoxville August 14, 1821, and his wife, Mary Lawson, died March 10th, 1819, and they are both buried in the grave-yard of the First Presbyterian Church, which he donated many years before his death.

A CONTEMPORARY ESTIMATE.

The Knoxville Register went into mourning upon the death of General White, and its issue of August 21, 1821, came out in

heavy black lines, with a lengthy obituary notice, from which the following is given as a contemporary opinion of the founder:

"DIED:—On Tuesday evening last, General James White of this vicinity in the seventy-third year of his age.

"General White was one of the earliest settlers in this part of the country and from the first has been its steady friend and benefactor. In its civil, military and ecclesiastical concerns he has taken a distinguished part, and has acquitted himself with fidelity and usefulness in the numerous public situations in which he has been called to act. This town particularly has cause to remember him with gratitude and veneration. He was its founder and patron, and ever watched over its interest with the disinterestedness and affection of a parent.

"But however eminent have been the public services of General White, and however honorable the offices with which the gratitude of his fellow citizens has endeavored to reward them, it is principally to his private character that we shall confine our remarks, because it is in his private character that all classes may contemplate his example with benefit.

"In domestic life he was an affectionate husband and tender father, a humane master and a hearty friend. His disinterestedness was eminent; for amidst many opportunities of amassing property he remained contented with a competency He loved justice, but he also loved peace; and through his good offices many litigations have been amicably settled which without such interference would have been decided only in a court of law."

CAPTURE OF MRS. WILSON AND CHILDREN.

It will bring conditions of pioneer life very close to General White's descendants in Knoxville to reflect that his sister, Mrs. Joseph Wilson, and her six children, were captured by the Indians in Sumner County, Tennessee, on the night of June 26, 1792, at Zeigler's Station. Hearing of the capture of Mrs. Wilson and her children, General White sent a message to the Cherokees and by paying a ransom procured the release of the mother and five of the children, and they were returned to their home. But one daughter had been taken to the Creek nation where she was held for many years, but was ultimately restored to her people.

We have no record of what was paid for the release either of Mrs. Wilson and the five children, or for the daughter who had been taken to the Creek Nation.

The attack on Zeigler's Station was made by a large force of Creeks, Cherokees and Chickamaugas, and the Station was burned and Jacob Zeigler was burned to death with it. Four

persons were killed and Captain Joseph Wilson was wounded; two children of Jacob Zeigler and nine other persons were captured. Mrs. Zeigler escaped with one child in the darkness.

GENERAL JAMES WHITE TO LIEUTENANT ROBERT RHEA.

One hundred and twenty-four summers have come and gone since General White sent the following autograph letter to Lieutenant Robert Rhea, the original of which, in the handwriting of General White, is in the possession of his great-great-grandson, Calvin M. McClung, of Knoxville. It is an exact copy of the original in all respects, and is here published for the first time:

"Sir: You will Collect Your troop of Horse & take the track of the Horses taken from Caldwells And Do your best to Overtake the thieves & Chastise them & Retake the Horses if possible. You will Continue on duty for this tour not to Exceed ten days—
 (signed) James White.

Sept. 9th 1793
 Leut. Robert Rhea

GENERAL WHITE TO GENERAL ANDREW JACKSON.

At the advanced age of sixty-five General White did the duty of a Brigadier-General under Major-General Andrew Jackson in the Creek War, and the following letter signed by General White—the body of the letter in the autograph of another and the original being in the possession also of his great-great-grandson, Calvin M. McClung, of Knoxville, and now published for the first time—indicates the General's activity even at his advanced age. The spelling, punctuation and capitalization are all identical with the original:

"Hiwassee Garrison Octr 6th 1813

"Major Genl. Andrew Jackson

"Sir

"I arrived here two days since with a detachment of my Brigade near eight hundred and fifty strong more than four Hundred and fifty Infantry the Ballance Mounted Infantry say near three hundred and near one hundred Cavalry all well Armed not a want of more than twenty Guns there is besides this force two hundred men from Genl. Coulters Brigade close by us and a number more coming on—I have formed my detachment into two Battallions the foot in one the Mounted Infantry in another I am directed by Genl. Cock to correspond with you—I am informed by old Mr. Riley the bearer that his son has a Quantity of gun Powder at Huntsville would it not be well to secure it as the Indians are in want who is to assist us in the expidition

"there is a Boat load of flour Purchased by Genl. Cook which can be sent to Ditto's landing when it may be wanting all supplies that can be obtained here will be provided ready to descend the River at the shortest notice" procure all the lead you can as it is not plenty here—Collo. Meigs shows every disposition to give aid to the friendly Indians and encourage the expidition I shall take every opportunity to write and advise you of my strength and situation

"I am Sir with Great Respect

"James White

"Brigadier Genl.—

Major Genl. Andrew Jackson."

GEORGE M. WHITE.

General James White's grandson, George M. White, now many years deceased, was Mayor of Knoxville in 1852-1853, and afterwards Recorder of the city for so many years that he came to be regarded as one of the city's institutions. He was one of those old time, old fashioned gentlemen, the very salt of the earth, whose type is becoming extinct in American life, and who, in the simplicity of his life and conduct, in a magnificent integrity and uprightness which were elemental with him, and in a whole-hearted devotion to every duty, begot the esteem that caused every citizen of Knoxville to be proud of him, and that furnishes ample ground for his descendants to cherish his memory for all time.

TWO JAMES WHITES.

There has always been some confusion in Tennessee history over the fact that there were two James Whites of prominence, references to whom being generally construed as being to one and the same person, namely, General James White. There was a James White of Davidson County, who, as far as we know, was no connection of the founder of Knoxville. He was born in Philadelphia June 6, 1749, moved to North Carolina and later to Tennessee, where he married. Davidson County elected him as its representative in the House of the first Territorial Legislature, and he took his seat in that body August 25, 1794, and he and William Cocke, afterwards a United States Senator, formed the House Committee on the Judiciary. This James White studied divinity, law, and medicine, and was known as "Doctor White." He introduced a bill into the Legislature to establish a college at Greeneville, which became a law.

On September 3, 1794, Dr. White was elected by the two houses of the Territorial Legislature as a delegate to Congress and he took his seat in that body November 18, 1794, and represented Tennessee until he was succeeded by Andrew Jackson December 5, 1796, as the first representative of Tennessee as a State. In 1799 he moved to Louisiana, became Judge of Attakapas County and died in Louisiana in December, 1809. He was the father of Edward Douglas White, who was a Congressman for five terms from Louisiana and Governor of that State 1835 to 1839, and grandfather of the present Chief Justice of the Supreme Court of the United States, Edward Douglas White.

Dr. White and Governor White, his son, and Chief Justice White, his grandson, were all members of the Roman Catholic Church.

CHAPTER 5.

Knoxville—Original Plan, History and Newspapers—
Frederick S. Heiskell, Editor.

Knoxville was originally laid off by General James White on a plat that contained 10 streets and 64 lots, which comprised the entire town. The streets began at the river and running parallel with it were as follows: First, First Street now Front Avenue; second, Second Street now Hill Avenue; third, Third Street now Main Avenue; fourth, Fourth Street now Cumberland Avenue; fifth, Fifth Street now Church Avenue. These streets were approximately one hundred yards distant from each other.

Beginning on the east, the first street was Race, afterwards Water now Central Street; second, Arch now State Street; third, Market now Gay Street; fourth, Chestnut now Market Street; and the fifth was Crooked now Walnut Street.

The lots were numbered from one to sixty-four, and lot Number 1 was at the southwest corner of Water—Central—and Front Streets, which would be close to the mouth of First Creek, and to the point where Governor Blount and the Indian chiefs negotiated and agreed upon the treaty of Holston. Each lot was one-fourth of a square or block, which would make them about 150 feet square.

The beginning of building operations in the town was in the neighborhood of lot Number 1, and the progress was from that point north and west. There is no evidence of building operations east of First Creek for some time after the city was founded, and it is impossible to fix the date when houses were started south of the river. The earliest deeds for lots in this original plan of Knoxville were made by General White in 1792.

WHITE'S FIRST ADDITION.

In 1795 General White laid out the first addition to Knoxville which consisted of fifty-six lots. His original plan was extended north from the present Church Avenue to Clinch Avenue, and

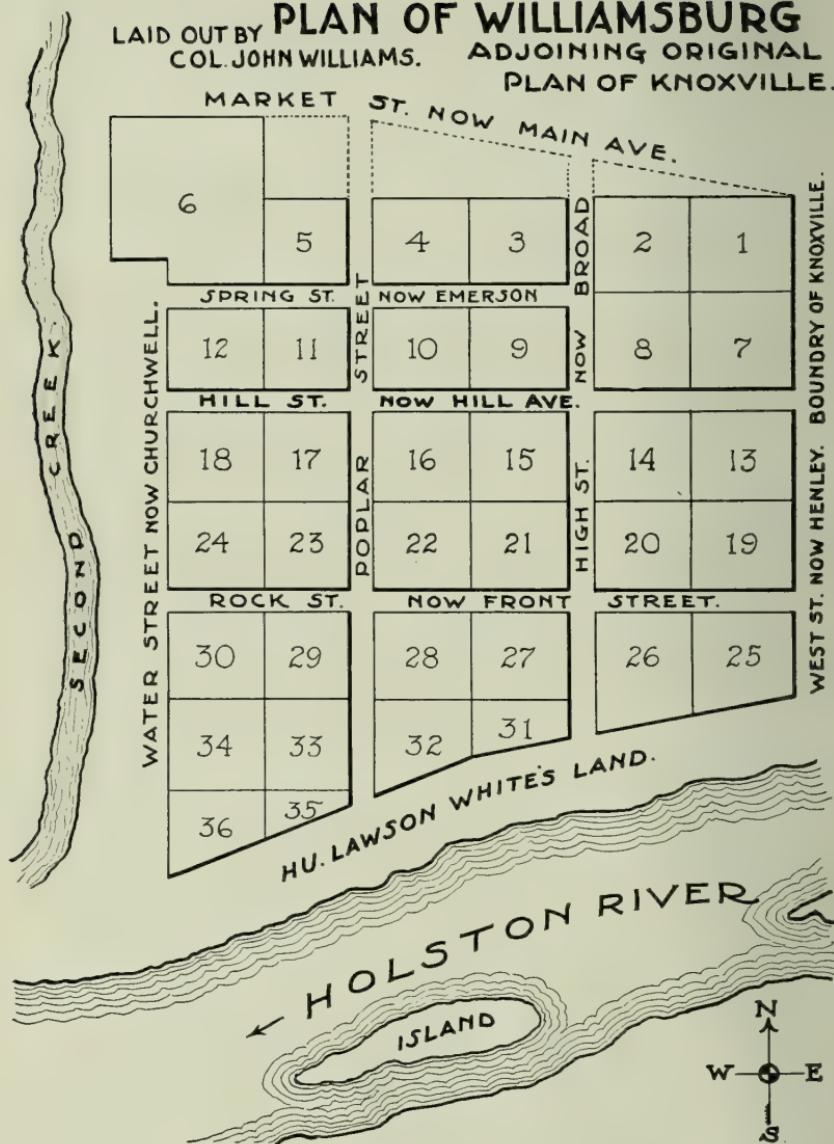
CLINCH STREET NOW CLINCH AVE.

47	46	27	26	15	14	11	10	7	6	3	2
48	45	28	25	16	13	12	9	8	5	4	1
49	44			57	56	41	40	25	24	9	8
50	43			58	55	42	39	26	23	10	7
51	42	31	22	39	54	43	38	27	22	11	6
52	41	32	21	60	53	44	37	28	21	12	5
WEST STREET	ADDITION	THIRD	CROOKED ST.	SECOND	FRONT STREET	NOW	MAIN	HILL AVE.	RACE STREET		
ISLAND											



Original Plan of Knoxville, Tennessee.

LAID OUT BY **PLAN OF WILLIAMSBURG**
COL. JOHN WILLIAMS. ADJOINING ORIGINAL
PLAN OF KNOXVILLE.



contained four blocks with sixteen lots. It extended west two blocks beyond the present Walnut Street, the first street west being New Street now Locust, and the next being West street now Henley. There were ten blocks west of the original plan containing forty lots; there were fourteen blocks and fifty-six lots altogether in the first Addition, and the blocks and lots were substantially of the same size as in the original plan.

COLONEL WILLIAMS AND WILLIAMSBURG.

In 1816 Colonel John Williams laid out the plan of Williamsburg which joined on the west General White's first addition, and Williamsburg contained thirty-six lots. It began with West now Henley Street, and its next street going west was High Street now South Broad Street; the next was Poplar Street, and the next Water now Churchwell Street. Water Street was close to Second Creek. Beginning at the river on the south there was a strip of ground not laid off into lots and known as "Hugh Lawson White's land." Williamsburg does not seem to have had a street on its south side fronting the river; its next street going north was Rock now Front Street; the next Hill Street now Hill Avenue; the next Spring, now Emmerson Avenue; the next Market now Main Avenue.

Generally described, Williamsburg lay between the present Main Avenue and Hugh Lawson White's land along the Holston River, and between the present Henley Street and Second Creek.

The blocks and lots were not of regular size owing to the shape of the land which was laid out; a majority of the blocks and lots appear, however, to be of the same size as in General White's plans, but some were larger and some smaller than in those plans.

HUGH DUNLAP ON THE FOUNDING OF KNOXVILLE.

Hugh Dunlap was born in Londonderry County, Ireland, November 5, 1769, and died at Paris, Tennessee, October 10, 1846; he came to America at an early age and settled in Tennessee. He was the father of Richard G. Dunlap, the first child born in Knoxville. He moved to Roane County in 1809, and lived upon a farm which is the site of Rockwood. In 1825 he settled at Paris in Henry County, Tennessee. In 1842 an agitation was begun for the celebration of the semi-centennial

anniversary of Knoxville, and this called forth a letter from Hugh Dunlap upon the founding of Knoxville, of which the following is a part, the letter being too long to quote in full:

"Paris, Tenn., January 19, 1842.

"Mr. Eastman.

"Dear Sir: In your paper of the 22nd ult. and the 5th inst. I observed arrangements making for the celebration of the semi-centennial anniversary of Knoxville. I am the only man, whom I know to be alive, who was living there when the lots were laid off. It would be a source of unmixed pleasure to be present at the celebration, if my health and the weather permitted. I could not conceive a higher gratification than to meet at the festive board the children of those adventurous and worthy men who first settled Knoxville, and who were the most endeared to me by the very perils incident to its settlement.

"At the treaty of Holston, in 1791, there were no houses except shanties put up for the occasion to hold Government stores. General James White lived in the neighborhood and had a blockhouse to guard his family. At the treaty of the Holston they used river water entirely, until Trooper Armstrong discovered the spring to the right of the street leading from the courthouse to what is now called 'Hardscrabble.' He at that time requested General White, in a jest, to let him have the lot including the spring when a town was laid off; and when the town was laid off the general preserved the lot and made him a deed to it—these facts were told me by General White himself, for I was not present at the treaty. I left Philadelphia, with my goods, in December, 1791, and did not reach Knoxville until about the first of February, 1792. I deposited my goods and kept store in the house used by the Government at the treaty, although I believe that the treaty itself was made in the open air. At the time I reached Knoxville, Samuel and Nathaniel Cowan had goods there. John Chisholm kept a house of entertainment, and a man named McLemee was living there. These men, with their families, constituted the inhabitants of Knoxville, when I went there. Governor Blount lived on Barbara Hill, a knoll below College Hill, and between it and the river.

"The principal settlements in the county were on Beaver Creek. All the families lived in forts pretty much in those days; and, when the fields were cultivated, there was always a guard stationed around them for protection. There was a fort at Campbell's Station, which was the lowest settlement in East Tennessee. The next fort and settlement were at Blackburn's, west of the Cumberland Mountains; the next at Fort Blount, on the Cumberland River; and then the French Lick, now Nashville.

"The land on which Knoxville is built belonged to General White. In February, 1792, Colonel Charles McClung surveyed

the lots and laid off the town; I do not recollect on what day of the month. It excited no particular interest at the time. The whole town was then in a thicket of brushwood and grape-vines, except a small portion in front of the river, where all the business was done. There was never any regular public sale of the lots; General White sold anybody a lot who would settle on it and improve it, for eight dollars; and in this way and at this price, the lots were generally disposed of.

* * * * *

"I beg you to excuse the length of this letter. I cannot think of those early times without in some degree living them over again. I understand a distinguished literary gentleman of your county is collecting the materials to write the early history of Tennessee. I hope he may not falter in an undertaking where the materials are so rich and the fame so certain.

"Very respectfully,

"Hugh Dunlap."

When North Carolina ceded the territory of the present State of Tennessee to the United States, Congress by Act passed May 25, 1790, organized the territory under the name of "Territory of the United States South of the River Ohio" and the Honorable William Blount, at that time living in the State of North Carolina, was commissioned as Governor of this territory by George Washington August 7, 1790; and part of his title also was "Superintendent of Indian Affairs." Daniel Smith was appointed Secretary to the Governor; he married a daughter of John Donelson, and succeeded Andrew Jackson in the United States Senate.

The first habitation established in Knoxville was by General James White in 1786, and was called "White's Fort," and the locality carried that name until the name of Knoxville was adopted. White's Fort was, like all other residences of the time, log cabins heavily timbered, connected together by palisades for protection against the Indians, and these cabins were proof against rifle and pistol fire, which were the weapons generally in use at that time.

General White had been a Revolutionary soldier and had received from North Carolina land warrants in payment for his services in the Revolutionary War; and, in company with Robert Love and Frank A. Ramsey, the father of the historian Ramsey, began an exploration to find desirable land upon which to locate their warrants. General White was taken with the locality

where he established his fort, and located it near State Street, between Union and Commerce Streets. Prior thereto, he temporarily lived above the junction of the Holston and French Broad Rivers. One is inclined to wonder why he did not locate his fort and the future city at the junction of these two rivers, one of the most beautiful localities in the world.

Governor Blount first came into the territory October 10, 1790, and took up his residence at Mr. Cobb's near Washington Court House, established Knoxville as the seat of the territorial government, and first made his residence there in March, 1792; and the first house that he occupied was a cabin between the present University and the river. Subsequently he built the frame residence which was the first frame building west of the Alleghany Mountains at the corner of State Street and Hill Avenue, and which remains to-day in the exact shape that it was originally built. This date is not absolutely certain but was probably 1793. It was considered a splendid mansion at the time.

Barbara Blount, the Governor's daughter, was married to Major General Edmund P. Gaines, of the United States Army, in this house. The hill on whicht he University of Tennessee is now located was at one time called "Barbara Hill" in her honor.

The Governor's residence passed from him to McClung, and from McClung to M. M. Gaines, both members of prominent families in Knoxville, and from Gaines to Judge Samuel B. Boyd, in April 1845, he being at that time one of the regular judges of Tennessee who was called, at different times, to preside as a special judge in the Supreme Court of the State. Judge Boyd has numerous descendants in the city of Knoxville, and they constitute one of the fine old families of the city. Not only during Governor Blount's administration, but always afterwards, this residence was the scene of generous hospitality, and in it have been entertained probably more prominent men than in any other private residence in Knoxville.

The historians are unanimously cordial and highly laudatory in everything that they write about Governor Blount and his family, and all agree that the Governor was a man of handsome, pleasing personality, with fine social qualities, affable and receptive to strangers; altogether, a most fitting man for the position he occupied. With the exception of John Sevier, he was the most popular man in the territory west of the mountains.

His family were of the refined, elevated, courteous type, and worthy of its head. One cannot but wonder why a man of the Governor's type, with such a family, would be willing to go to the very limits of the white settlements and live there. His services in building up the territory of Tennessee were great and unqualified, and his name will go down in the history of the State along with John Sevier. He and his wife are buried in the yard of the First Presbyterian Church in Knoxville.

BLOUNT'S TREATY.

One of the most important acts of Governor Blount during his six years' administration was the treaty made with the Cherokee chiefs at the foot of Water Street (now Central Street) on the river bank, in Knoxville.

Governor Blount had been attempting to procure a lasting peace between the Cherokee Indians and the people of the United States. He had sent Major King with an invitation to the chiefs to meet him to consider a treaty, but the Indians had been intimidated by the suggestion from an enemy that Governor Blount intended to assemble them together and have them killed; and it was made necessary for General James Robertson, who had their confidence, to go among them, and undeceive them. At first, the Indians proposed to meet at the junction of the Holston and French Broad Rivers, but they at length yielded to Governor Blount, who preferred to meet at the foot of the present Central Street.

The Governor had an eye to the Indian love of ceremony, color, and dress, so he wore a military hat and a sword, and Trooper James Armstrong was Master of Ceremonies, and the Indian chiefs were brought forward with great ceremony, and each presented to the Governor by his aboriginal name. An interpreter in Indian costume introduced each chief to Armstrong, who in turn, presented him to the Governor, and there were forty-one of the chiefs. There were 1,200 other Indians upon the ground, some of whom were women and children.

Around the Governor stood his civil and military officers, the Indian braves were decorated with eagle feathers and other decorations of their rank, but were unarmed. The body of the Indians wore the ordinary Indian dress.

The Governor made the first speech to his picturesque audience through an interpreter, he standing in their midst, while

the Indians sat around upon the ground, silent, but giving close attention. Squollecuttah, Kunoskeski, Auquotague, Ninetooyah, are said, by Ramsey, to have been the principal speakers, and that Chuquelatague seemed sullen, and signed the treaty reluctantly. It must have been a diverting spectacle to see Trooper Armstrong present these five to the Governor, and to hear how he pronounced their names. Trooper Armstrong—James Armstrong—had seen service in Europe and was familiar with foreign manners, and seems to have acquitted himself on this occasion to the satisfaction of both the Governor and the Indians; but posterity will never cease to wonder just how he pronounced those five Indian names!

Governor Blount's conference with the Indians would furnish some great historical painter a subject worthy of the very best achievements of his art. The picture ought to be painted, and incorporated not only in the histories, but in the school books of Tennessee.

The sons of the American Revolution in the courthouse yard at Knoxville, Tennessee, at a point south of General Sevier's monument, have erected a marker, commemorating the making and signing of this treaty, and on the marker is the following inscription:

"Commemorating the Treaty of Holston, signed by Governor William Blount and 41 chiefs and Warriors on the site of the home of Governor Blount, corner of Hill Avenue and State Street, Knoxville, July 12, 1791. Erected by the Sons of the American Revolution July 2, 1908."

By this treaty peace and friendship was established between the United States and the Cherokee nation, and the Cherokees agreed to deliver to Governor Blount all prisoners in their possession, and the boundaries between the Indians and the white men were duly set out. Governor Blount paid the Indians for the territory which they conveyed, goods, and an annuity of one thousand dollars. The Indians further agreed that citizens of the United States should not be molested in the use of the road from Washington to Middle Tennessee, and should have the navigation of the Tennessee River.

Later, on December 27, 1791, a delegation of Cherokees arrived in Philadelphia to make a claim for a larger annuity than Governor Blount had granted, and a Conference ensued with the



BLOCK HOUSE AT KNOXVILLE, TENNESSEE

From Painting by Lloyd Branson.

President, and an additional five hundred dollars a year was agreed upon, to which the Senate consented.

THE FIRST BLOCKHOUSE.

It is hard, in our day, to conceive the life led by the original inhabitants of Knoxville, when they lived always in the gloom and shadow of an expected Indian attack, or in grief and suffering for those that were slain or scalped.

The site of the first blockhouse in Knoxville was in the court-house yard where the John Sevier monument now stands, and the blockhouse was erected in 1792.

On February 5, 1902, at four o'clock in the afternoon, a marker was unveiled by Admiral Winfield Scott Schley, at the request of the Daughters of the American Revolution, by removing an old, torn, United States flag, once used by Admiral Farragut. Exercises were held by the Daughters of the American Revolution connected with the unveiling, and Admiral Schley made a short address. Honorable Benton McMillan, Governor of Tennessee, was the orator of the day, and spoke at length. A large crowd was present. Admiral Schley said:

"Miss Regent, Your Excellency, Ladies and Gentlemen, I may say, my dear Friends: I am very glad indeed to be face to face with you all this afternoon, and am glad to commemorate for this Chapter the First Blockhouse erected in this beautiful city of Knoxville.

"The Daughters of the American Revolution are a beautiful and lovingly patriotic organization. Its members are magnificent women, and their mothers must have been women conspicuous for their beauty, piety and determination.

"The hand that rocks the cradle rules the world" we are frequently told, and there is no doubt of it; the tender love of mother helps us all. I know it has helped me. I know that the girl whom I courted thirty-eight years ago, and who has been my faithful, sweet wife since, is nearer and dearer to me every day of my life.

"The two days I have been among your hospitable people I will always tenderly regard as sweet souvenirs of my life."

Governor Benton McMillan followed Admiral Schley in an extended speech covering the early history of Tennessee, the development of the State, and its present wealth and power, and he concluded with a handsome tribute to Admiral Schley in connection with the defeat of Cervera at the Bay of Santiago.

Treaties did not always bind those that made them, especially Indian treaties, and in 1793 the little settlement of Knoxville had

an experience that for a while looked as if it would end in eliminating the settlement entirely.

Governor Blount was unceasing in trying to permanently placate the Indians, something which John Sevier knew could never be done. The Governor entertained in his own house for eight or ten days a Cherokee chief. Finally it became apparent that there would be an attack by the Cherokees and Creeks jointly upon the settlement at Knoxville in the latter part of 1793. For a time after the Treaty of Holston there was a cessation of violent outbreaks, but murders, and horse-stealing and other criminal acts were carried on, demonstrating that between the Indian and the white man there was an irreconcilable issue that could be settled only by the elimination of one or the other from the land; in the end, the Indian had to go, but the measure of his retaliation upon the white settlers was frequent, atrocious and horrible.

The proposed assault upon Knoxville was one of the strongest and most malignant in early Indian history, and was prevented only by differences among the Indians themselves. The story of this assault is best told by Professor Stephen Foster, who is quoted in part by Ramsey as having read an essay upon it before the East Tennessee Historical and Antiquarian Society, and who it seems, published in fuller form in the Knoxville Register of September 21, 1831. Every resident of Knoxville would do well to read in full what Professor Foster says, as it throws a wonderful light upon what our ancestors had to meet and conquer in dark pioneer days.

MASSACRE AT CAVET'S STATION, SEPTEMBER 25TH, 1793.

"On the road from Knoxville to Major Joseph Martin's is passed Joseph Lonas' on the creek, the formerly celebrated Cavet's Station. This Cavet's Station was nothing but the log-house dwelling of a family of thirteen persons in the day of Indian havoc and bloodshed. It is eight miles below Knoxville and seven miles above Campbell's Station. This latter station was one of the chief forts of the country, containing as many as twenty families, and assuming an air and attitude of defense which inspired courage within itself, and extended to the savages that prowled around it a salutary respect for the prowess of its interior.

"In 1793 a party of Creeks and Cherokees, from 900 to 1,500 crossed the Holston, with the design of burning and sacking Knoxville. They halted upon the question, 'Shall we massacre

the whole town, or only the men?" The Hanging Maw was a leading man in the councils of his people. His opposition to the scheme of an indiscriminate massacre was strenuous and weighty. Another circumstance is here related. Van, Cherokee chief, possessed a little captive boy, that was riding behind him. Double-head became envious at this sight, and picked a quarrel with Van, and to satiate his malice, killed the little boy with a sudden stab of his knife. The animosity of these chiefs added hindrance to delay. And before the plan of procedure could be satisfactorily adjusted, it was found to be too late to arrive at Knoxville before daylight.

"Then, to avoid an entire failure of their enterprise, they repaired to Cavet's as affording the readiest and easiest prey. This establishment they reduced to ashes. Its thirteen tenants were slaughtered except one. Cavet himself was found butchered in the garden. Several bullets were still lying in his mouth having been put there for convenience of speedily loading his gun. The day of his slaughter was the 25th of September.

"In the meantime intelligence of the contemplated attack had arrived at Knoxville, and given to the minds of its citizens that impulse which is only to be looked for on great occasions, when the dignity of a single heroic conception is enough to consecrate danger and death. The number of fighting men in Knoxville was forty. But it was thought preferable to combine this force, and to risk every life in a well-concerted effort to strike a deadly and terrific blow on the advancing enemy, at the outskirts of the town, rather than to stand to be hewn down in its center by the Indian tomahawk.

"Gen. James White was then advanced a little beyond the prime of manhood, of a muscular body, a vigorous constitution, and of that cool and determinate courage which arises from a principle of original bravery, confirmed and ennobled by the faith of the Bible. He was the projector and leader of the enterprise. Robert Houston, Esq., from whose verbal statements the substance of much of this narrative is copied, was of the age of twenty-eight, and was a personal actor in the scene.

"It was viewed to be manifest to those who were acquainted with Indian movements, that the party would come up the back way near the present plantation of Mrs. Luttrell and Henry Lonas, rather than the straighter way now traveled by the stage. The company from Knoxville accordingly repaired to a ridge on that road, which now may be inspected about a mile and a quarter from Knoxville. This ridge is marked by the irregular and shelving rocks of the road, which passes over it.

"On the side of this ridge next to Knoxville, our company was stationed at the distance of twenty steps from each other, with orders to reserve their fire till the most forward of the Indian party was advanced far enough to present a mark for the most eastern man of our party. He was then to fire. This fire was

to be the signal to every man of our own to take aim with precision. This would be favored by the halt thus occasioned in the ranks of the Indians. And these latter, it was hoped, astonished at the sudden and fatal discharge of thirty-eight rifles extended over so long a line, would apprehend a most formidable ambuscade, and would quit all thought of further aggression, and betake themselves to the readiest and safest retreat.

"But to provide for the worst, it was settled beforehand that each man upon discharging his piece, without stopping to watch the flight of the Indians, should make the best of his way to Knoxville, lodge himself in the block-house then standing at the present mansion of Mr. Etheldred Williams, where three hundred muskets had been deposited by the United States, and where the two oldest citizens of the forty, John McFarland and Robert Williams, were left behind to run bullets and load.

"Here it was proposed to make a last and desperate struggle; that, by possessing every porthole in the building and by dealing lead and powder through it to the best advantage, they might extort from an enemy nearly forty times their number, a high price for the hazard of all they had on earth that was dear and precious. There were then two stores in Knoxville, Nathaniel Cowan's and James Miller's.

"Though the practical heroism of this well concerted and thus far ably conducted stratagem, in consequence of the sudden retreat of the enemy, was not put to the test of actual experiment, yet an incident fraught with so much magnanimity in the early fortunes of Knoxville should not be blotted from the records of her fame. It is an incident on which the memory of her sons will linger without tiring, when the din of party shall be hushed and its strife forgotten. Those men of a former day were 'made of sterner stuff' than to shirk from danger at the call of duty. And it will be left to the pen of a future historian to do justice to that little band of thirty-eight citizens, who flinched not from the deliberate exposure of their persons in the open field, within the calculated gunshot of fifteen hundred of the fleetest running and boldest savages.

"This expedition on the part of the Indians, though in its issue abortive by their divided councils, was marked with singular daring and despatch. They knew that Col. Sevier, with a detachment of four hundred mounted riflemen, ready to ravage their territory, had recently left Knoxville and lay at this moment at Ish's Station on the south side of the river, about ten miles from Cavet's; that a respectable force lay in garrison at Campbell's station, and that the above-mentioned forty men were at Knoxville. Here then were three points from which, at a moment's warning, they would be assailed from three different directions at once. But they had formed their plan, that by a movement too quick for discovery and by a ridge not commonly traveled by our warriors, they would pass the forces at Ish's and Campbell's

Stations, seizing the favorable moment of the absence of Sevier's troops, to fall upon Knoxville entirely unexpected, scalp the inhabitants in their beds, pillage the only two little stores in the place, and in the light of its blazing ruins, make off with their booty, divided into two or three parties, to elude pursuit, prevent delay, and make good their escape.

"The above-mentioned disagreement between their principal chiefs, by the loss of a single hour, like the counsel of Hushai in Absalom's rebellion, frustrated the whole project, divested this band of its martial prowess, and sent it skulking on its shameful butchery at Cavet's Station.

"The circumstances of this massacre will strikingly illustrate the Indian mode of warfare, a singular union of cunning, deceit and atrocity, without concert of action or unity of plan. For at the beginning of the attack, Cavet's house contained three fighting men. These plied their rifles with such coolness and dexterity that two Indians lay dead and three wounded. The Indians then made a temporary halt from the fury of their onset, and employed Bob Benge, a man of mixed blood, who spoke English, to offer to the garrison terms of surrender. These were very favorable namely, that their lives should be spared and they exchanged for as many Indian prisoners then among the whites. No sooner were these terms accepted and the prisoners beginning to leave the house, than Doublehead and his party fell upon the men and put them to death. He treated the women and children with barbarous indelicacy and then killed them. John Watts, who was the main leader of the expedition, interposed and saved one of Cavet's sons, and poor Benge, who first proposed the conditions of surrender, was all the time striving, to no purpose, to check the murderous atrocities of Doublehead.

"How different this confused havoc from the measured discipline of the Roman legion where to fight 'extra ordinem' as Sallust says, that is to overstep the battle line and to fight alone in front of it, was an offense to be punished with capital severity.

"When the Indians had accomplished this inglorious deed, they made for a well-known house on Beaver Creek, twelve miles from Knoxville, now owned by Mr. Callaway. That house had been occupied by Mr. Luke Lea's father. That gentleman, from an apprehension of danger, had removed his family to the present residence of Col. Miller Francis, only a week previous to this terrible morning, and thus happily saved them from becoming victims of Indian fury. Some of their bedclothes were still left in the house, and the wheat stacks standing by the barns and stables. The whole was soon a heap of ashes.

"The Indians retreated with characteristic speed and address. They sought the fastnesses of Clinch, and by a brisk march they were soon beyond the reach of immediate danger. Danger awaited them still. In three weeks they were bearded out of their own den by Sevier's invasion."

INCORPORATION OF THE CITY.

On October 27, 1815, the legislature incorporated the inhabitants of the town of Knoxville and on January 30, 1816, the first meeting of the Board of Aldermen was held at the courthouse. Under the act the aldermen elected the Mayor from their number, and the first Board of Aldermen consisted of Thomas Emmerson, Thomas McCorry, Rufus Morgan, James Park, Thomas Humes, James Dardis, and John M. Cullen. Thomas Emmerson was elected Mayor, Anderson Hutchinson, Recorder, and David Nelson, High Constable, and John M. Cullen, Treasurer.

Rufus Morgan, James Dardis, and Thomas Humes were appointed on February 20, 1816, a committee to erect a market-house, which they did, and the dimensions were 26 feet long, 18 feet wide, and the house was located on the present Main Street between Market and Walnut.

In January, 1839, an election was held for the election of a Mayor by popular vote, and W. B. A. Ramsey was winner, receiving 49 votes to 48 for James Park.

Beginning with Thomas Emmerson and coming down to 1845, the Mayors of the City and the time each held office, were as follows:

Emmerson, Thos.	January, 1816
Emmerson, Thos.	January, 1817
Park, Jas.	January, 1818
Park, Jas.	January, 1819
Park, Jas.	January, 1820
Park, Jas.	January, 1821
Mynatt, Wm. C.	January, 1822
Mynatt, Wm. C.	January, 1823
Park, Jas.	January, 1824
Park, Jas.	January, 1825
Park, Jas.	January, 1826
Mynatt, Wm. C.	January, 1827
Strong, Jos. C.	January, 1828
Strong, Jos. C.	January, 1829
Strong, Jos. C.	January, 1830
Strong, Jos. C.	January, 1831
McIntosh, Dr. Donald	January, 1832
McIntosh, Dr. Donald	January, 1833
McIntosh, Dr. Donald	*January, 1834
Jacobs, Solomon D.	January 1834
Jacobs, Solomon D.	*January, 1835
Heiskell, Fred S.	*June, 1835
Mynatt, William C.	November, 1835

Mynatt, William C.	January, 1836
King, Dr. Jas.	January, 1837
King, Dr. Jas.	*January, 1838
Ramsey, Wm. B. A.	February, 1838
Ramsey, Wm. B. A.	†January, 1839
Bell, Samuel	January, 1840
Bell, Samuel	January, 1841
Hazen, Gideon M.	January, 1842
Gaines, Matthew M.	January, 1843
Bell, Samuel	January, 1844
Bell, Samuel	January, 1845

*Resigned.

†First Mayor elected by a popular vote.

KNOXVILLE'S FIRST MAYOR.

The new municipality started off well in the election of its first Mayor, Judge Thomas Emmerson, who was born at Lawrenceville Courthouse, Brunswick County, Virginia, June 23d, 1773, and died at Jonesboro, Tennessee, July 22d, 1837. He came to Tennessee in 1800, and succeeded Hugh Lawson White in the spring of 1807 as a Judge of the Superior Court and continued on the bench of that Court until the fall of 1807, when he resigned.

He was elected a Trustee of the East Tennessee College, the predecessor of the University of Tennessee, in 1807, and later was elected Trustee of the Hampden-Sydney Academy of Knoxville, and the Knoxville Female Academy.

He was Mayor of Knoxville in 1816-1817.

On January 1st, 1810, an act creating the Court of Errors and Appeals went into effect, and on July 19, 1819, Judge Emmerson was elected a Judge of this Court as the successor of Archibald Roane, and held the office until 1822 when he resigned and moved his residence to Jonesboro, Tennessee, where he continued the practice of law.

In 1833 he bought the Washington Republican and Farmers Journal and published that for four years.

He is buried at Jonesboro, Tennessee, in the "Old Cemetery," and his wife is buried beside him.

PIONEER NEWSPAPERS OF KNOXVILLE.

The Knoxville Gazette was the first newspaper published in Knoxville, Tennessee, and the third west of the Alleghany Mountains, and its first issue appeared November 5, 1791, at Rogers-

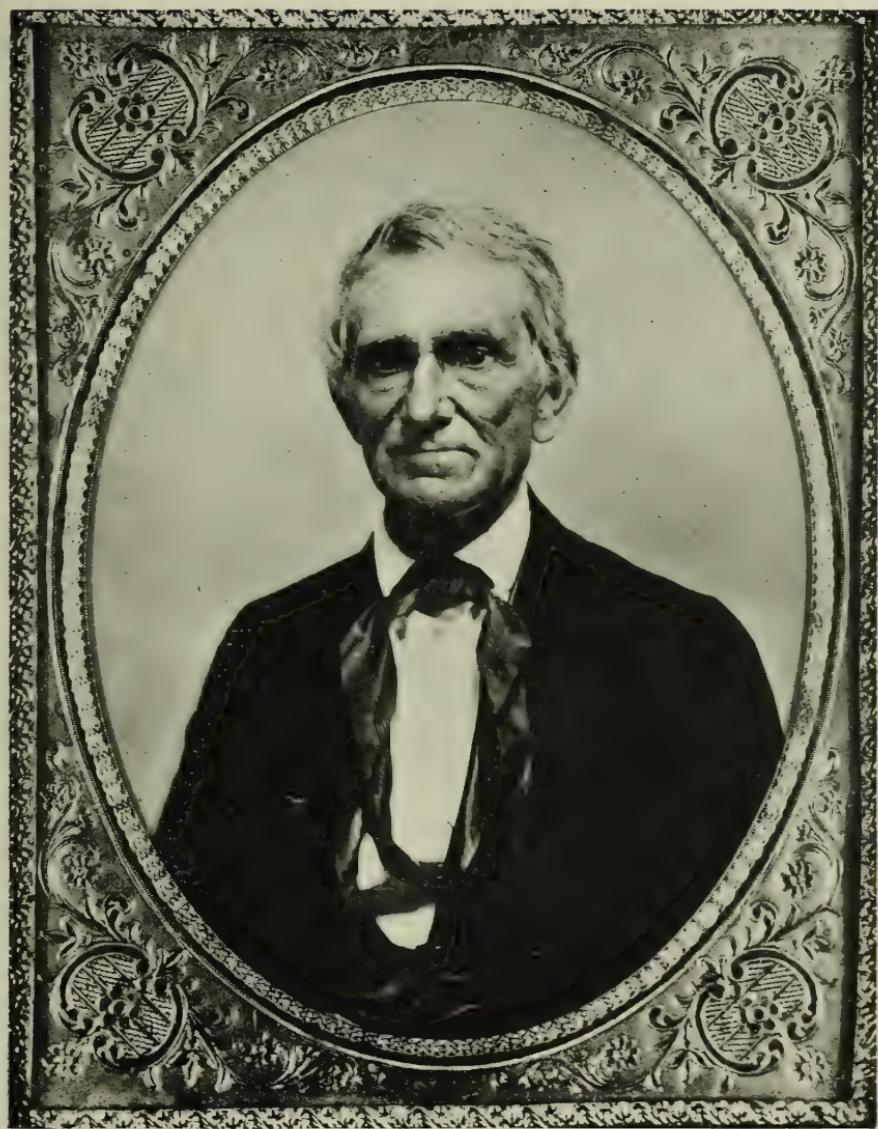
ville, in Hawkins County, where it was published for a time under the name of the "Knoxville Gazette." It was moved to Knoxville in 1792 and its publication continued until the death of George Roulstone in 1804. Bound copies of the Gazette are in the Tennessee Historical Society at Nashville. George Roulstone came to Tennessee at the suggestion of Governor William Blount and he was afterwards printer to both the territorial and State legislatures.

In 1804 George Wilson succeeded Roulstone as the proprietor of the Knoxville Gazette and called the paper "Wilson's Gazette." He continued the publication of it until 1818 when he removed to Nashville which had become the capital of the State.

The Knoxville Register is the only one of the Knoxville pioneer newspapers that attained long life and wide influence. The following account of The Register and its two publishers, Major Frederick S. Heiskell and Hugh Brown, is from The History of Knoxville by William Rule, now and for many years past editor of the Knoxville Journal and Tribune:

FREDERICK S. HEISKELL AND HUGH BROWN.

"In the year 1816 on the 3d day of August, Major Frederick S. Heiskell and Hu. Brown began the publication of the Knoxville Register, which continued to be published for a longer term of years than any other paper yet published in the city. It suspended publication upon the arrival of General Burnside with the Union army, about the first of September, 1863. Its life was within a few days of forty-seven years, and in the main it was a distinctly honorable career. In this connection a brief sketch of its distinguished founders will be proper and of interest. Major Heiskell remained one of the proprietors of The Register for about twenty-one years, devoting his whole time, energy and ability to its success. He was born in Hagerstown, Maryland, but when yet a child his parents removed to Shenandoah County, Virginia. He learned the printer's trade in the office of his brother, John Heiskell, in Winchester, Virginia, and came to Knoxville in December, 1814. After working as a journeyman printer something less than two years, he, in conjunction with Hu. Brown, whose sister he afterwards married, founded the Knoxville Register, a weekly paper. In 1829 Hu. Brown retired from the paper and Major Heiskell continued its publication until in 1837, when, on account of impaired health, he retired to a farm ten miles west of Knoxville, having sold his interest in The Register to W. B. A. Ramsey and Robert Craighead. While publishing The Register, Major Heiskell was intimately acquainted with Hugh Lawson White, John Bell, Ephraim H.



FREDERICK S. HEISKELL
Father of Tennessee Journalism.

Foster, James K. Polk and other famous men of his time. For years he was a trusted friend of Andrew Jackson, and fought his earlier political battles with characteristic vigor. He also knew Henry Clay well and was one of his earnest, sincere supporters. In 1847 he was elected to the State Senate, the only office he ever held, and distinguished himself as an able, conscientious and zealous representative of the people's interests. He was always a gentleman in his habits and deportment, and universally recognized as thoroughly incorruptible. He was a public spirited man and took a deep interest in the cause of education. He was one of the trustees of the East Tennessee Female Institute, and for years up to the date of his death, was also one of the trustees of the East Tennessee University, now University of Tennessee. While conducting *The Register* his counsel and influence was eagerly sought by men in public life, and his advice was always received with consideration. His life was long, strenuous and useful. He died at Rogersville, Tennessee, in November, 1882. He remained an omnivorous newspaper reader to the last, and at the time of his death left twenty large scrapbooks made up of clippings which he considered of value. His partner and brother-in-law, Hu. Brown, was also a superior man. He retired from *The Register* in 1829, to accept a professorship in the University of Tennessee. Under their management the power and influence of *The Register* was second to no paper in the State. It was a credit to its publishers and to the section of the country in which it circulated. Its proprietors took an active part in the politics of the period and made themselves felt by friends and by foes.

"In 1836, contrary to the will and wishes of Andrew Jackson, who had been the most influential man in Tennessee politics, and who had decreed that Martin Van Buren should be his successor in the Presidential chair, *The Knoxville Register* supported Hugh Lawson White for that office. He carried the State, his majority, in spite of Jackson's opposition, being a little more than nine thousand in a total vote of 61,000. In the Eastern division of the State, Hugh Lawson White carried every county with the exception of Greene, Sullivan and Washington, most of them by overwhelming majorities. Four years previous to that, in 1832, Andrew Jackson had carried every one of the counties in East Tennessee. This year, against the influence exerted by *The Knoxville Register*, he could influence but three counties to vote for Martin Van Buren. This is mentioned as showing the influence of *The Register* in those days. Some of the men who were at times connected with *The Knoxville Register* office afterwards became prominent in the State. Gen. Felix K. Zollicoffer worked as a printer in the office. He afterwards became, as editor of the *Nashville Republican Banner*, one of the best known journalists in the South, was elected State comptroller, served in the lower house of Congress, and was killed at Mill Springs, Kentucky, in February, 1862, while gallantly leading a

brigade of Confederate soldiers of which he was the commander.

"From John E. Helms, one of the oldest newspaper men in the State, it is learned that Major Heiskell, the founder of *The Register*, was the president of the first meeting of the Tennessee Press Association. It was held in the old Mansion House, an excellent hotel in its day. It stood upon the grounds upon which the county courthouse now stands. The meeting was held about the year 1838."

In 1878 the Tennessee Press Association met in Knoxville and was addressed by Colonel Moses White, one time editor of the *Knoxville Tribune*, on the subject of Major Heiskell. The *Tribune* was founded in March, 1876, by Colonel Samuel McKinney of Knoxville, as a Democratic daily, to take part in the Tilden and Hendricks campaign, and in 1898 it was bought by E. J. Sanford of Knoxville and combined July 1st, 1898, with the *Knoxville Journal*, founded in 1884, as the *Journal and Tribune*, and which has been continued since that date under that name.

In his address Colonel White said:

"The *Knoxville Register*, the one which became an institution of Knoxville, was established in August, 1816, by F. S. Heiskell and Hu. Brown. The paper, together with the enterprising founders and its long line of worthy proprietors and able editors, demands more than a passing notice. Of its first editors, Heiskell was the active man in political matters, and Brown was the literary and miscellaneous editor. Major Heiskell was born in Hagerstown, Maryland, but while he was yet an infant his father moved to Shenandoah County, Virginia. There young Heiskell grew up and acquired a limited education, worked, after he was old enough, on the farm the greater part of the year, and attending a subscription school during the winter season. He was installed as a printer's devil in 1810 and served as a printer three years or more, when, after a short respite, he moved to Knoxville, reaching there Christmas Day 1814. He obtained a situation as journeyman printer on Wilson's *Gazette*, then the only paper published in East Tennessee. Hu. Brown was engaged in teaching a Latin school in Knoxville. Heiskell and Brown under the advice and patronage of several of the leading men of Knoxville, determined to establish a press, and, after the necessary preparation and delay, commenced the publication of *The Register* in July, 1816. Hu. Brown, the partner and brother-in-law of Heiskell, was a finished scholar and a chaste and elegant writer, modest and retiring in his habits, and averse to the turmoil and strife incident to political life. He was born in Jonesboro, Tennessee, and was the son of Joseph Brown of that place, a most exemplary Christian gentleman. Brown made the miscellaneous department of *The Register* a

most attractive feature of the paper. The political department of the paper indicates nothing out of the ordinary routine of newspaper matter from the date of its establishment up to the time of Jackson's candidacy for the Presidency. With that event however, commenced a struggle which for acrimony, as well as ability on the part of the newspapers throughout the country, has never been surpassed, if, indeed, it has ever been equalled. The bitterness and vituperation indulged in by the friends of General Jackson on the one side, and those of John Quincy Adams on the other, is without parallel in American politics, and is within the recollection of many now living. My own estimate of the bitterness and ability which characterized these contests is formed no less from what I have heard detailed by the active participants in these stirring scenes, than from the contents of those old papers. The Register with much ability and with ardent zeal, was one of the first, if not the first paper in Tennessee, to espouse the cause of Old Hickory. The defeat of Jackson in his first race added tenfold to the bitterness of his friends, and the friends of Adams, catching the contagion, the contest was renewed in 1828 with unprecedented ardor and fierceness. Throughout all of this storm period The Register bore a conspicuous and controlling part in supporting the cause of the iron-willed statesman and patriot. In the Presidential contest of 1836 The Register supported Hugh Lawson White. About this time The Register passed into the hands of that sterling gentleman and chaste writer, W. B. A. Ramsey, and his excellent and upright partner, Robert Craighead. Hu. Brown had severed his connection with The Register in 1829 to accept a professorship in the East Tennessee University. After he retired from the editorship the whole duties both as political and literary editor devolved upon Major Heiskell, and under his individual control the paper fully sustained the high character which the two editors had jointly made for it. Major Heiskell, after the sale of The Register, retired to a farm ten miles below Knoxville, where he unremittingly engaged in agricultural pursuits, only leaving his farm once, in 1847, in response to the call of his admiring fellow citizens to serve them in the senate of the State. He assumed a bold, independent stand as a candidate, eschewing all the tricks and by-paths of the demagogue, was elected and made an able and useful member of the senate."

Major Heiskell's country home, to which he moved after retiring from The Register, was named by him Fruit Hill, and he there lived until he moved to Knoxville about 1880. On leaving Fruit Hill, it appears that a great number of letters which he had received from the leading men of the State and Nation during his twenty-one years of editing The Register, were put in a box which was placed in the attic of his residence, a large brick house which is still standing. When the author entered

upon the writing of this chapter he made an unsuccessful search for this box and contents, which, by intention or oversight, had been left in the attic when Major Heiskell and his family moved to Knoxville, but which are now evidently destroyed. These letters would be a perfect mine of historical wealth to a writer of to-day who should attempt to demonstrate the development of Tennessee, and the character, calibre and careers of leading men during its pioneer period and the Jacksonian epoch.

The scrap books referred to by Editor Rule are, several of them, still preserved and in the possession of Major Heiskell's descendants. With his coming to Knoxville on Christmas Day 1814, there have been branches of the family of his name in Knoxville and Knox County, for one hundred and three years, and in other parts of East Tennessee nearly as long; and this long family residence in Tennessee, and profound admiration for the Tennessee pioneers as commonwealth builders, and of Andrew Jackson as the State's greatest historical asset, and one of the greatest of the nation, are among the reasons that led the author to undertake the writing of this book.



WILLIAM BLOUNT, TERRITORIAL GOVERNOR

Photograph from original miniature from life in the possession of his great-great-grandson, John C. Feibis of Butte, Montana, who had a photograph made for Calvin M. McClung of Knoxville, Tennessee who had this two-diameter enlargement made in June, 1912.

CHAPTER 6.

William Blount—Expulsion from United States Senate—Letter of Willie Blount.

On July 8th, 1797, William Blount, Senator from Tennessee in the United States Senate, by a vote of twenty-five to one, was expelled from that body, and was the first Senator ever expelled. That has been one hundred and twenty years ago, and this generation of Tennesseans may know in a general way that a Tennessee Senator was expelled, but few would be able to give any details in reference to it. Senator Blount's prominence in the early history of the State and justice to his memory as well as to Tennessee, whose representative he then was, justifies a later writer of Tennessee history to tell more than is generally known about his life and family, and the cause and procedure of his expulsion from the Senate.

William Blount, the oldest of the children of Colonel Jacob and Barbara Gray Blount, was born in Bertie County, North Carolina, on March 26, 1749. Colonel Jacob Blount was twice married, and had eight children by his first wife. His second marriage was with Hannah Baker Salten, by whom he had five children, one of whom was Willie, afterwards Governor of Tennessee for three terms, 1809-1815. Jacob and his son William participated on the side of the patriots in the Battle of the Allamance in North Carolina in 1771, which was really the first battle of the American Revolution. William's brothers, Thomas and Redding Blount, were officers in the military service of the patriots in the Revolutionary War. Thomas was taken prisoner and carried to England and there confined for a long time. He was afterwards a member of Congress from the Edgecomb District up to his death, in 1812. Willie was a Judge of the Supreme Court of Tennessee, and afterwards Governor; he was a member of the Constitutional Convention of 1834, and his home was at Clarksville, Tennessee, where he died.

Jacob Blount, the father of the thirteen children, was a man of means, who educated his children in a manner corresponding

to his means and his social position. William Blount married on February 12, 1778, Mary, the daughter of Caleb Grainger, a member of the General Assembly of North Carolina. William was a number of times a member of that body, and in the years 1783, 1784, 1786 and 1787 was a member of the Continental Congress. North Carolina sent him as one of its representatives to the Convention which framed the Federal Constitution in 1787, and he was a member of the State Convention of North Carolina which ratified the Constitution in 1789; he was a supporter of the act of 1789 conceding to the United States the territory of the present State of Tennessee, and was present as a representative of North Carolina at the treaty with the Cherokees at Hopewell, November 28, 1785, and also attended at the same place in 1786 the treaties with the Choctaws and Chickasaws.

It will be seen from all of this that the Blount family was one of the distinguished and patriotic families in the early days of the Federal Union and of Tennessee, and their record shows that they were men of large capacity and of unfailing confidence and support among the people.

Dr. Ramsey, the Tennessee historian, has this to say about William Blount:

"He was of an ancient English family of wealth and rank which at an early day emigrated to North Carolina; the name is often mentioned in the annals of that State during the Revolution. Mr. Blount was remarkable for his address, courtly manners, benignant feelings and a most commanding presence. His urbanity, his personal influence over men of all conditions and ages, his hospitality, unostentatiously yet elegantly and graciously extended to all, won the affections and regard of the populace and made him a universal favorite. He was at once the social companion, the well-bred gentleman and the capable officer."

As stated in another chapter, after he had been appointed by George Washington Governor and Indian Commissioner for the new territory, he came into the territory and took up his official residence at the house of William Cobb, on October 10, 1790, where he proceeded to organize the government of the new territory and to make civil and military appointments. In his official capacity he had tremendous powers and prepared and promulgated his own orders and laws, and they were entitled "By William Blount, Governor in and over the Territory."

Under the ordinance of 1787, when the territory had five thousand free male inhabitants, the Governor was authorized to order an election for members of a territorial Legislature, and Governor Blount had such an election held, and the first territorial Legislature met in Knoxville, August 25, 1794, and remained in session a month and five days. It was at this session of the Legislature that a college was incorporated at Knoxville which was named "Blount College" in honor of the Governor, and was the lineal ancestor of the University of Tennessee.

The increase of population justifying his action, the Governor convened the Legislature by proclamation, which assembled on June 29th, 1795, to take steps to admit the territory as one of the United States, and on the 11th of July, 1795, an act was passed for the enumeration of the inhabitants which, if they amounted to as much as sixty thousand, the Governor was to issue a proclamation for the election of delegates to form a State Constitution and to meet in convention in the town of Knoxville. The election showed more than sixty thousand inhabitants, and the proclamation for an election was duly issued and on the 11th of January, 1796, the Constitutional Convention assembled at Knoxville. Governor Blount was elected a member of the Convention, and after the body assembled was chosen President. Charles McClung, General James White, Andrew Jackson, General James Robertson and Archibald Roane were also members.

John Sevier was elected Governor under the Constitution and at a meeting of the Legislature on the 28th of March, 1796, William Blount and William Cocke were elected United States Senators. Congress, however, declared later that the election of March 28 was premature because the State had not been admitted into the Union, and Blount and Cocke were again elected on the 2d of the following August. Willie Blount, thirty years of age, was elected by the Legislature a Judge of the Supreme Court. William Blount and William Cocke took their seats as Senators, and Andrew Jackson as Representative, in the second session of the Fourth Congress, which sat from December 5, 1796, to March 3, 1797.

On July 3d, 1797, John Adams, President of the United States, sent a message to both houses of Congress which was the basis of Senator Blount's subsequent expulsion from that body, and it is to give Tennesseans a detailed account of this expulsion that this chapter is written. The President's charge against Senator

Blount was a letter known as the "Carey letter" written by Senator Blount to James Carey at Tellico Block House, now Monroe County, Tennessee, and a copy of this letter was sent by the President with this message; and in order that the matter may be clear, and the full weight of the charges perfectly understood, the full text of the letter is here given. Senator Blount was not in the Senate Chamber when the message and the accompanying letter were read, but he came in afterwards, and the question was put to him whether he wrote the letter, and he replied that it was true that he had written a letter to Carey, but was unable to say whether the copy produced in the Senate was a correct one or not, and he desired time in which to make an investigation.

THE CAREY LETTER.

"Col. King's Iron Works, April 21, 1797.

"Dear Carey:

"I wished to have seen you before I returned to Philadelphia, but am obliged to return to the session of Congress which commences on the 15th of May.

"Among other things that I wished to have seen you about was the business Captain Chisholm mentioned to the British Minister last winter at Philadelphia.

"I believe, but am not quite sure, that the plan then talked of will be attempted this fall, and if it is attempted, it will be in a much larger way than then talked of, and if the Indians act their part, I have no doubt but that it will succeed. A man of consequence has gone to England about the business; and if he makes arrangements, I shall myself have a hand in the business, and shall probably be at the head of the business on the part of the British.

"You are, however, to understand that it is not yet quite certain that the plan will be attempted, and to do so will require all your management. I say will require all your management, because you must take care in whatever you say to Rogers or anybody else, not to let the plan be discovered by Hawkins, Dinsmoor, Byers or any other person in the interest of the United States or of Spain.

"If I attempt this plan, I shall expect to have you and all of my Indian friends with me, but you are now in good business, I hope, and you are not to risk the loss of it by saying anything that will hurt you until you again hear from me. Where Captain Chisholm is I do not know. I left home in Philadelphia in March, and he frequently visited the Minister and spoke about the subject; but I believe he will go into the Creek Nation by way of South Carolina or Georgia. He gave out that he was going to England, but I do not believe him. Among things that you may

safely do, will be to keep up my consequence with Watts and the Creeks and Cherokees generally; and you must by no means say anything in favor of Hawkins, but as often as you can with safety to yourself, you may teach the Creeks to believe he is no better than he should be. Any power or consequence he gets will be against our plan. Perhaps Rogers, who has no office to lose, is the best man to give out talks against Hawkins. Read the letter to Rogers, and if you think best to send it, put a wafer in it and forward it to him by a safe hand; or perhaps, you had best send for him to come to you, and to speak to him yourself respecting the state and prospect of things.

"I have advised you in whatever you do to take care of yourself. I have now to tell you to take care of me too, for a discovery of the plan would prevent the success and much injure all parties concerned. It may be that the Commissioners may not run the line as the Indians expect or wish, and in that case it is probable the Indians may be taught to blame me for making the treaty.

"To such complaints against me, if such there be, it may be said by my friends, at proper times and places, that Doublehead confirmed the treaty with the President at Philadelphia, and received as much as five thousand dollars a year to be paid to the Nation over and above the first price; indeed it may with truth be said that though I made the treaty, that I made it by the instructions of the President, and in fact, it may with truth be said that I was by the President instructed to purchase much more land than the Indians agreed to sell. This sort of talk will be throwing all the blame off me upon the late President, and as he is now out of office, it will be of no consequence how much the Indians blame him. And among other things that may be said for me, is that I was not at the running of the line, and that if I had been, it would have been more to their satisfaction. In short, you understand the subject, and must take care to give out the proper talks to keep my consequence with the Creeks and Cherokees. Can't Rogers contrive to get the Creeks to desire the President to take Hawkins out of the Nation? for if he stays in the Creek Nation, and gets the good will of the Nation, he can and will do great injury to our plan.

"When you have read this letter over three times, then burn it. I shall be in Knoxville in July or August, when I will send for Watts and give him the whiskey I promised him.

"I am, &c.,

WM. BLOUNT."

On July 4th, 1797, the Senate passed the following resolution:

"RESOLVED, That so much of the Message from the President of the United States of the third instant, and the papers accompanying the same, as relates to a letter purporting to have been written by William Blount, a Senator from Tennessee, be referred to a select Committee, to consider and report what, in their opinion, it is proper for the Senate to do thereon; and that

the said Committee have power to send for persons, papers, and records relating to the subject committed to them, and that Messrs. Ross, Stockton, Henry, Sedgwick and Read be the Committee."

On July 7th, 1797, on motion, the Senate agreed that Senator Blount could be represented by two counsel, and that he be furnished with all copies of papers that he wanted, and on that same date the Senator notified the Senate that Jared Ingersoll and Alexander J. Dallas would represent him upon his trial. On July 7th, 1797, the House of Representatives sent a message to the Senate by Mr. Sitgreaves, one of its members, as follows:

"Mr. President, I am commanded in the name of the House of Representatives, and of all the people of the United States, to impeach William Blount, a Senator of the United States, of high crimes and misdemeanors; and to acquaint the Senate that the House of Representatives will in due time, exhibit particular articles against him and make good the same.

"I am further commanded to demand that the said William Blount be sequestered from his seat in the Senate; and that the Senate do take order for his appearance to answer the said impeachment."

Pursuant to this resolution Senator Blount was required to give a bond in the sum of twenty thousand dollars with two sureties for fifteen thousand dollars each, and the condition of the bond was that Blount should appear before the Senate of the United States to answer charges of impeachment against him to be exhibited by the House of Representatives of the United States, and not to depart without leave. Thomas Blount, his brother, and Pierce Butler were his bondsmen.

On July 8th the Senate proceeded to consider the report of the Committee to which had been referred the message of the President.

Senator Blount had declined to either affirm or deny that he wrote the Carey letter, as he had a right to do, and thereby threw the burden on the Senate of proving that he wrote it, and that the matter in the letter made him guilty of committing a high crime or misdemeanor. The report of the Committee was as follows:

"That Mr. Blount having declined an acknowledgment or denial of the letter imputed to him, and having failed to appear and give any satisfactory explanation respecting it, your Committee sent for the original letter, which accompanies this report, and it is in the following words, viz.:"

(Here follows the Carey letter above given.) The report then proceeds:

"Two Senators now present in the Senate have declared to the Committee that they are well acquainted with the handwriting of Mr. Blount, and have no doubt that this letter was written by him. Your Committee have examined many letters written from Mr. Blount to the Secretary of War, a number of which are herewith submitted, as well as the letter addressed to Mr. Cocke, his colleague in the Senate, and to this Committee, respecting the business under consideration; and find them all to be of the same handwriting with the letter in question. Mr. Blount has never denied this letter, but, on the other hand, when the copy transmitted to the Senate was read in his presence, on the third instance, he acknowledged in his place that he had written a letter to Carey, of which he had preserved a copy, but could not then decide whether the copy read was a true one. Your Committee are therefore fully persuaded that the original now produced was written and sent to Carey by Blount. They also find that this man Carey, to whom it was addressed, is, to the knowledge of Mr. Blount, in the pay and employment of the United States, as their interpreter to the Cherokee Indians, and an assistant in the public factory at Tellico Block House. That Hawkins, who is so often mentioned in this letter as a person who must be brought into suspicion among the Creeks, and if possible driven from his station, is the Superintendent of Indian Affairs for the United States among the Southern Indians; Dinsmoor is agent for the United States in the Cherokee Nation; and Byers one of the agents in the public factory at Tellico Block House.

"The plan hinted at in this extraordinary letter, to be executed under the auspices of the British, is so capable of different constructions and conjectures, that your Committee at present forbear giving any decided opinion respecting it, except that to Mr. Blount's own mind, it appeared to be inconsistent with the interest of the United States and of Spain, and he was thereby anxious to conceal it from both. But, when they consider his attempts to seduce Carey from his duty, as a faithful interpreter, and to employ him as an engine to alienate the affections and confidence of the Indians from the public officers of the United States residing among them; the measures he has proposed to excite a temper which must produce the recoil or expulsion of our Superintendent from the Creek Nation; his insidious advice tending to the advancement of his own popularity and consequence, at the expense and hazard of the good opinion which the Indians entertain of this Government, and of the treaties subsisting between us and them, your Committee have no doubt that Mr. Blount's conduct has been inconsistent with his public duty, renders him unworthy of a further continuance of his present public trust in this body, and amounts to a high misdemeanor.

They, therefore, unanimously recommend to the Senate an adoption of the following resolution:

"RESOLVED, That William Blount, Esq., one of the Senators of the United States, having been guilty of a high misdemeanor, entirely inconsistent with his public trust and duty as a Senator, be, and he hereby is, expelled from the Senate of the United States."

On July 8th, 1797, five days after President Adams had sent his message to the Senate, Senator Blount was expelled by a vote of twenty-five to one, Senator Tazewell of Virginia casting the one vote.

On July 5th, 1797, Senator Blount wrote from Philadelphia, where Congress was in session, to the people of Tennessee, this letter:

"In a few days you will see published by order of Congress a letter said to have been written by me to James Carey. It makes quite a fuss here. The people upon the Western Waters will see nothing but good in it, for so I intended it, especially for Tennessee."

The modern reader who has carefully read the Carey letter and the report of the Committee which recommended Senator Blount's expulsion, will be curious to know just what the letter means, and will be disposed to agree with the extraordinary admission of the Committee that it, the Committee, did not know what the letter meant, as is plainly evidenced by their words:

"The plan hinted at in this extraordinary letter, to be executed under the auspices of the British, is so capable of different constructions and conjectures, that your Committee at present forbear giving any decided opinion respecting it, except that to Mr. Blount's own mind it appeared to be inconsistent with the interest of the United States and of Spain, and he was therefore anxious to conceal it from both."

One cannot help but wonder if the Committee could not decide what the plan was in the letter, and if the letter was capable of different constructions and conjectures, how the Committee upon the strength of the letter could find Senator Blount guilty of anything. The Senator's guilt, if guilty at all, depended upon the plan to be carried out in the letter, and the Committee could not decide what the plan was, and did not pretend to have any evidence as to it from any other source. Depending upon the political standpoint and prejudices of the reader, the letter might

mean anything, but Americans have always been taught that men cannot be convicted of violation of law upon uncertainties, conjectures, surmises or mere belief—there must be proof of guilt, and in this case there was no proof.

The Carey letter was the sole basis of the Senator's expulsion, and unexplained as it was, the modern reader will conclude without anything from the Senator's side, that the expulsion was rushed through the Senate backed up by the Adams Administration, for some secret political purpose that had not at that time come to light.

After the resolution had been adopted expelling Senator Blount, his sureties were discharged from their bond and on July 8th, 1797, he was required to enter into another bond of one thousand dollars with two sureties of five hundred dollars each, to make his appearance on July 10, 1797, to answer the articles of impeachment preferred by the House of Representatives. The drop from a twenty thousand dollar to a one thousand dollar bond seems a little curious and no explanation is available. Governor Blount forfeited this one thousand dollar bond by not appearing on July 10th, and the impeachment proceedings were passed until the next session of Congress. On July 8th, 1797, the House appointed a Committee to prepare articles of impeachment against Senator Blount and the Committee consisted of Mr. Sitgreaves, Mr. Baldwin, Mr. Bayard, Mr. Dawson, and Mr. Harper.

The second session of the Fifth Congress met at Philadelphia November 13, 1797, and Joseph Anderson had been appointed as Senator from Tennessee to fill out Senator Blount's unexpired term. On December 4, 1797, the House Committee made its report against the Senator, with the testimony upon which it was based.

On December 17, 1798, the trial began before the Senate.

THE FIVE ARTICLES OF IMPEACHMENT.

It will be impossible in so limited space to reproduce in full the articles of impeachment, but the essential charge in each article is as follows:

Article 1. That Senator Blount entered into a conspiracy within the United States to conduct and carry on from the United States a military, hostile expedition against Florida and Louisiana, territories of the King of Spain, for the purpose of wresting

said territory from the King of Spain, and delivering the same to the King of England, the King of Spain being at that time at peace with the government of the United States.

Article 2. That Senator Blount in February, March, April, May and June, 1797, conspired to excite the Creek and Cherokee Indians within the territory of the United States to commence hostilities against the King of Spain in Florida and Louisiana, for the purpose of wresting Florida and Louisiana from the King of Spain and delivering them to the King of Great Britain.

Article 3. That Senator Blount conspired to alienate and divert the confidence of the Creek and Cherokee Indians in one Benjamin Hawkins, the principal temporary agent of the United States for Indian Affairs south of the Ohio River, and north of the territorial line of the United States.

Article 4. That Senator Blount conspired to engage James Carey to whom the letter had been written, and who had been appointed an interpreter of the United States to the Cherokee Indians and to assist at the public trading house established at Tellico Block House in the State of Tennessee, to assist Senator Blount in the execution of his alleged criminal conspiracies against the United States.

Article 5. That Senator Blount conspired to diminish and impair the confidence of the Cherokee Indians in the Government of the United States and to foment discontent among said Indians towards said Government in relation to the ascertainment and marking of certain boundary lines between the United States and the said Cherokee Indians, he thereby intending the more effectually to accomplish his purpose of exciting said Indians to commence hostilities against the King of Spain.

The House reserving to itself the right at any time afterwards of submitting any further articles of impeachment against the Senator, demanded that he be put to answer for his alleged crimes and misdemeanors. The Senate agreed to the five articles of impeachment, and it was upon them that the trial was had.

On December 24, 1798, Jared Ingersoll of counsel for Senator Blount, submitted a plea which is too long to be reproduced here, but the substance of which was that the Senate having expelled Senator Blount, and he being no longer a member of that body, had no jurisdiction over him for any act he might be charged

with, it being a plea to the jurisdiction of the Senate, and prayed judgment of the Senate as a high Court of Impeachment whether Senator Blount should be required to further answer the five articles of impeachment preferred against him.

To this plea Mr. Bayard, Chairman of the Managers on the part of the House, on January 3, 1799, made a replication which was in substance and effect a demurrer to the plea, and set out that the matters alleged in the plea were not sufficient to exempt Senator Blount from answering the articles of impeachment.

To this replication Messrs. Ingersoll and Dallas filed a rejoinder setting out that the matter alleged in the plea was sufficient reason why the Senate as a Court of impeachment ought not to hold jurisdiction of the impeachment articles, and that the matter in said plea of Senator Blount not being denied or answered made thereto by the House of Representatives, judgment was prayed whether or not the High Court of Impeachment would hold any further jurisdiction of the impeachment, or take cognizance thereof, and whether Senator Blount should make further answer thereto.

These pleadings raised a question of law, pure and simple, that went to the jurisdiction of the Senate over the subject matter, and the merits of the case were not involved. The sole question was whether Senator Blount, having been expelled from the Senate of its own motion, could now be impeached by the House of Representatives, and the impeachment sustained by the Senate, of which body he was no longer a member.

On January 11, 1799, the Senate sustained the motion by a vote of 14 to 11 that the plea of Senator Blount was sufficient in law, and that the Senate as a High Court of Impeachment ought not to hold jurisdiction of the impeachment and the same was dismissed. The Secretary of the Senate was directed to notify the House of Representatives that the Senate would be ready to receive the managers of the House and their counsel on Monday, January 14, 1799, at twelve o'clock to render judgment on the impeachment against Senator Blount. On January 14th the court was opened and the parties were in attendance; the Vice President of the United States being the President of the Senate, pronounced the judgment of the Court that it would not hold jurisdiction of the impeachment and that it be dismissed.

Mr. Sitgreaves, Chairman of the House Committee to prepare the articles of impeachment, stated clearly that the articles were

based solely upon the Carey letter, so that the guilt or innocence of Senator Blount is confined to that letter, and taking that letter as the sole basis of the Senator's guilt, we ask the question:

First, did the letter justify the House Committee in basing its five articles of impeachment upon it?

This question raises the strictly legal aspect of Senator Blount's guilt, as shown by the Carey letter, if he was guilty. The reply to the question in the calm consideration that our day gives to the matter is that the letter does not justify the five articles of impeachment. It is to be borne in mine that all of the five articles charge conspiracy, but it is not charged in any one of them that Senator Blount ever did anything to carry his conspiracies into execution. It is not charged in any of the articles with whom Senator Blount conspired. No man can make a conspiracy himself alone. This omission is very suggestive, because any person so charged would have defended himself, and if such a person had been an officer or representative of the English government, the Adams administration might have brought on trouble with that government as serious as it pretended to think Senator Blount's so-called conspiracy was about to bring on with Spain.

In law, to make a conspiracy a criminal offense, there must be a clear and definite agreement to do some definitely understood unlawful thing. Men may consult about an unlawful thing any number of times, and if there is no agreement to do the unlawful thing, there is no violation of law. In the Carey letter there is not even a pretense of any definite plan or undertaking being agreed upon or adopted; there is not a pretense that any definitely understood arrangement was to be carried out. There is not a pretense that the minds of whoever the conspirators were agreed upon the unlawful thing to be done. If there was a conspiracy at all, there must have been in it others besides Governor Blount who must have acceded to some definite plan.

Upon the contrary, there are numerous statements in the Carey letter that indicate that nothing had been agreed upon. Here are some illustrations: The Senator said in one place, "I believe, but am not quite sure, that the plan then talked of will be attempted this fall;" in another place, "You are, however, to understand that it is not yet quite certain that the plan will be attempted;" in another place, "If I attempt this plan." Again, the letter shows that nothing was to be done unless satisfactory arrangements were

made with England, and there is not a scintilla of evidence that England ever agreed to any arrangement.

Again, there is no evidence whatever that Senator Blount incited the Indians to make war on the King of Spain.

There is no evidence whatever that Senator Blount ever attempted to put Hawkins out of office.

There is no evidence whatever that Senator Blount attempted to divert James Carey from his duty as a servant of the United States.

There is no evidence whatever that Senator Blount attempted to persuade the Indians that the United States had swindled them, and even if there was, this is not a crime. It is common knowledge throughout American history that the Indians have been overreached and swindled by the agents of the United States government, probably not with the knowledge and consent of that government, but by the dishonesty of agents who worked to the detriment of the Government's wards.

Speaking generally, the defect in the five articles is that the House Committee who drew them assumed that the Senator had been guilty of a conspiracy; and then made charges that were not in themselves criminal, but which could only be pronounced such by reference to a conspiracy previously assumed to exist. In other words, the Committee pronounced Senator Blount guilty by presumption, and then notified him to clear himself the best way he could. This may be a not very unusual procedure in politics in order to gain a political advantage, but it is not the law of the land and never was. There is not a court in the United States that would permit the allegations in the five charges to stand as an adequate foundation for a charge of conspiracy. We are forced to conclude, therefore, that as a matter of law the five charges preferred by the House absolutely broke down, and it follows that if the Senator was not guilty in law, he could not be guilty at all. His expulsion, therefore, can be charged up as a political outrage committed by the Adams Administration, members of the Cabinet of which actively aided in the prosecution, and brought all the influence of the administration to bear to expel Senator Blount from the Senate. President Adams had made the charge, and had sent the Carey letter to the Senate; this was an act of his administration which he did not desire should fail, and the administration backed up the prosecution with all of its might.

But, as Senator Blount was a representative of this State, Tennessee would like to know not only that he was not guilty in law, but that he was not morally guilty of anything in the Carey letter, and this brings up the question of what the Carey letter meant, and if it had any definite or fixed meaning at all.

In 1835 Willie Blount, a half brother of the Senator, wrote a vindication of him, which is referred to by Dr. Ramsey in his Annals of Tennessee, but unfortunately that vindication, together with numerous other Blount papers, historical and biographical documents, correspondence and historical library, which Dr. Ramsey had collected for the purpose of writing a second volume of his Annals of Tennessee, were all destroyed by fire, and the volume was never written. In reference to this vindication, Dr. Ramsey said:

"Governor Willie Blount, the writer of it, was a younger brother of Senator Blount, was his private and official Secretary, and was thus associated intimately with him in most of the transactions of his public and private life, and who succeeded him in the administration of the duties of Governor over the same people for many years. His character for candor and truth and impartiality will be nowhere questioned, and the condition of no one could have been more favorable for the ascertainment of all the facts he mentions or the purposes to which he alludes in his vindication of William Blount. At the time I read it the document was closely examined, even analyzed in all of its bearings, its arguments, and its conditions. It was supported by the most irrefragable testimony. I have had some opportunity in my past life of sifting and comparing contemporary testimony from which to eliminate historical truth, and I here declare the vindication by Governor Willie Blount of Senator Blount to have been full and particular, not only explanatory and exculpatory in every particular, but perfectly satisfactory to myself at the time it was before me."

Since the first edition of this book was issued, the author has come into possession of a copy of a "Sketch of William Blount by Willie Blount," a copy of which is among the Draper manuscripts in the Wisconsin Historical Society. This "Sketch" was written by Willie Blount for the information of the children of William Blount, and is addressed to "Richard B. Blount and Sisters and Relatives, Clarksville, Tenn."

Evidently this "Sketch" is not the "Vindication of William Blount" referred to by Dr. Ramsey as having been written by Willie Blount in 1835, as he says the "Vindication" was "supported by the most irrefragable testimony." The loss of this "irrefragable

testimony" when Dr. Ramsey's house was burned is one of the most serious losses early Tennessee history ever suffered. Dr. Ramsey declares the "Vindication" to have been "exculpatory in every particular," whereas there is no testimony accompanying this "sketch" by Governor Willie Blount, written for the benefit of Governor William Blount's children. The sketch is here presented exactly as it came by copy from the Wisconsin Historical Society, except some slight changes in spelling and punctuation.

SKECH OF WILLIAM BLOUNT BY WILLIE BLOUNT.

"I will now speak of Wm. Blount, whom I knew as well as He who created him; and of him, of his love [of] country, and of his devotion to the promotion of its best interests, from pure motives, free from ignoble bias, or selfishness, I hesitate not to say, that he with the light of a good understanding and a knowledge of the condition of the United States, of the Government, of its policies and measures, of the particular and peculiarly neglected condition of the South and Southwestern section of the Union, and of the actual and starving condition of the four Southern tribes of Indians, had, from his opportunities of ascertaining the condition of the whole of them, possessed as thorough knowledge of that condition as did any man in the U. S. in his day; and I confidently assert, without fear of contradiction, that a better man, and patriot, never lived in any day or time, than [than] he was, and unless it was sinful to do good, he was as safe from any just reproach, as any man ever who lived. Having premised thus much respecting him, will next say, that whilst he was a senator from Tenn. in Congress of the U. S., during the administration of the elder Adams, he for love of country, under all the above mentioned circumstances, as they related to the South and Soutwestern sections of the U. S., and as they related to all other above alluded to heads of public considerations, and with the single view on his part of promoting the U. S. interest, with the view of *strengthening the interest of the republicans*, by getting them more fully represented in the councils of the Union, by opening the Indian country to settlement by a dense American population, and the more fully to exercise the elective franchise in the election of a republican President, more favorable to the growth of the west, S. W. and N. W., as well as with the view of getting a dense American population settled in the country occupied by the four Southern tribes of Indians in their stead, by a removal of those tribes from the east to the west of the Mississippi, and that without expense to Government, whereby all the above alluded to benefits hoped for by the U. S., might accrue to them; as well likewise with the view of bettering the almost forlorn and destitute condition of those tribes by enabling them through a removal to prolong their national character, and

to live as they pleased, free from any undue influences; he, from motives and considerations thus founded in love of country, and in manifestation of a fixed and firm attachment to the U. S. and their political fabric, and to our republican institutions under whose fabric, and from no other motives and considerations whatever, *as is well known to the writer of this sketch from frequent conversations with him*; he, from such motives and with such objects in view, and no other, and free from any bias of personal aggrandizement of himself, and with no view or intention of removing himself from Tenn., laudably conceived a project, having for object a removal of those four tribes with their own consent, from east to the west of the river Mississippi and there in the far west, to settle them in a comfortable situation, favorable to their hunter state; (Indians being known to ramble, from place to place, and one country to another, and settle wherever they found game to suit them in a wilderness waste, distant from settlements of white people, and being known to do so from time immemorial, without offence to any white civilized nation, they conducting themselves in a peaceable manner, and without violence of conduct in their removal, had a right, according to usage, to remove themselves without offence to any body or Power) nor was any the least injury contemplated or intended to be done to the Spaniards, who then claimed the waste country west of the Mississippi, but the Treaty between the U. S. and Spain, entered in the year 1795, having stipulated, *that both Spain and the U. S. should restrain the movements of Indians within their respective limits and boundaries*; a provision of Treaty which Wm. Blount told me he did not recollect, when first he contemplated that project, but it afterwards occurring to his recollection, he before making any overt act for the removal of those tribes, abandoned his contemplated project for their removal; and did so, as he honestly and candidly as well as openly declared, thro' respect for the U. S. and Spain, lest either power should think a removal of those tribes, from the country of one to that of the other, should savor of a violation of that Treaty of amity; and thus, and for that reason of respectful consideration towards the U. S. and Spain, *that once contemplated project was abandoned*, and no further proposition for a removal of those tribes was ever made by him to them. And could there be wrong in such a project? That *Federal Administration*, however, having heard of that once contemplated project, after he had abandoned it, caught at that straw, in order, no doubt, *to injure the reputation* of a sensible, active, high-minded, potent republican opponent of that reign of terror; and by its further making a story of "raw head and bloody bones" of that only once contemplated project, never acted on before it was most respectfully abandoned, the Senate proceeded to his expulsion from that body, as if a Senator's conduct beyond the walls of the House, be it good or bad, was cognizable by the Senate; (Why, have we not courts?) also proceeded to get up his *impeachment for erroneous*

ously alleged high crimes and misdemeanors, as if a Senator or Representative was ever considered, before or since, to be impeachable; charging him by articles of impeachment, with plotting mischief against Spain, through connivance of his project, by the British in concert with him; when, too, neither he, the *Legislature, the British Government, its minister near the U. S., nor any body else knew of any such plot or concert entered into; and in fact no such plot or concert ever was proposed or intended*, as evidenced by a letter from the British Minister in answer to one from the Secretary of State of the U. S., asking a communication of all that he knew of Wm. Blount's conduct in relation to that or any other project of his against the Spanish Government or its Territories; the minister denying any knowledge of such a plot; upon the Senate's receipt of that letter, and upon Wm. Blount's plea, denying the jurisdiction of the Senate, the impeachment was dismissed; but he had been previously dismissed from his seat in the Senate, so that that body had gotten clear of legislative opposition to its reign of terror objects, projects and aristocratic measures, for suppressing the public interest and to get him out of their way was their great object; after which, and after the dismissal of that before unheard of impeachment of a member of the Senate for no crime, no more charges for previously alleged and unfounded charge of high crimes and misdemeanors, or of that raw-head and bloody bones story, trumped up to answer an unhallowed party purpose, ever was heard of any more, either in the Senate or in any court of Judicature, his innocence of any misconduct, either practised or even contemplated, being apparent. However, as those crooked proceedings against an innocent, virtuous, and patriotic citizen, now and a long time in his grave, as are many of that then Federal Senate, and of that reign of terror memory, as these are all over and done with, let the subject rest and may the tear of the recording Angel blot the memory of such illegal, unjust and oppressive proceedings against an innocent man, out of the record of the American Senate. I, knowing his innocence and pure motives, should never have mentioned these particulars, were it not that *I am the only person living, to whom all the facts and circumstances relating to the above mentioned once conceived but never attempted project, was ever communicated by the projector*; and were it not, from my own reflection, known [knowing] that the facts and circumstances above mentioned were not known even to his orphan children, who never had a knowledge of them, nor of the grounds of his innocence, the most of those orphan children being at the time of his death too young even to recollect the features and manly appearance of their father; and it is, moreover, a justice due in favor of innocence that they should know the amiable and true character of their useful and patriotic father from the pen of their very affectionate friend.

"Willie Blount.

'To Richard B. Blount, his sisters and relatives, Clarksville, Tenn.

"The public stations and offices filled by W. Blount were the following:

1st. During the Revolutionary War he acted as Deputy Pay Master to the N. C. troops of the line of the U. S. army, with the rank of Colonel, and as Deputy Pay Master was in the service as a staff officer of that grade, all the war; where he acquired a knowledge of measures, of events, and of men and things to useful extents, and never forgot, nor neglected to improve himself thereby as long as he lived: it was the knowledge of observation, matured by study and experience; the army is a school.

2nd. He was a Commissioner or Agent on the part of North Carolina, at the Treaty of Hopewell, held with the four tribes of Indians in 1785.

3rd. He was repeatedly a member of the House of Commons of North Carolina, often a member of the Senate of that State, and of which body he was Speaker.

4th. He was a member of the Old Congress, and declined the Presidency of that body.

5th. He was a member of the Convention which framed the Constitution of the U. S. in 1787; being at the same time, a member of the Old Congress.

6th. He was a member of the State Convention of North Carolina, [1789] which adopted the U. S. Constitution of 1787.

7th. He was the first and only Governor of the U. S. Territory South of the River Ohio.

8th. He was Superintendent of Indian Affairs for the Southern Department.

9th. He was sole Commissioner of the Treaty of Holston, in 1791, with the Cherokees.

10th. He was a member and President of the Convention which framed the Constitution of Tennessee in 1796.

11th. He was one of the first members of the Senate of the U. S. for Tennessee, and was twice unanimously elected thereto.

12th. He was one of the board of Commissioners for settling army accounts of North Carolina.

13th. He was a member of the Senate of Tennessee, and speaker of that body, when acting as a court of Impeachment, and as a circumstance somewhat remarkable, whilst he was thus acting at home, with the confidence of the State, the U. S. Senate was trying the within mentioned unfounded impeachment against him.

14th. He was an acting Justice of the Peace, in all the counties of his residence, in North Carolina and in Tennessee, a Trustee of the University of North Carolina, and a Trustee of Blount College in East Tennessee.

As Superintendent over the four Indian tribes in the Southern Department, he effected the first general peace between them and the frontier States bordering on the country inhabited by

those tribes, of any durable character, from the earliest settlements in the Southwestern section of the U. S., to his Treaty with those tribes in 1795; and that peace continued, until the U. S. declaration of war against Great Britain in 1812. In every station or office he ever filled, he acted with utility and fidelity to the public, and with credit to himself, true virtue.

With respect to the policy of a removal of the Southern tribes of Indians from the east to the west of the Mississippi, through an exchange of territory, it may not be amiss to observe, that Jefferson recommended it; I, whilst Governor, proposed it; the Legislature of Tennessee and our delegation in Congress, sanctioned it, and we urged it on President Madison, who assented to it; President Monroe concurred in the propriety of it; and to the immortal credit of President Jackson and Congress they, upon the bold and patriotic recommendation of it by Jackson, are enforcing it, with the consent not only of the Southern tribes, but extending it to every tribe on the east of that river, and most of them have acceded to it, and thus it is the favorite policy of the republican administration of the Government, sanctioned by the people, even at the expense of many millions of dollars, whereas Wm. Blount proposed to do it without expense to Government, a great difference."

Within the limits here necessary it would be impossible to go into a full and detailed statement of the politics of that day involving the relations of the United States, France, Spain, England and the Indian tribes. All of the diplomacy of the day was absolutely rotten upon the part of the three latter nations. Spain was in possession of Florida and Louisiana and was prohibiting free navigation of the Mississippi River. The free navigation of that river was the very life-blood of the people of Tennessee. They then constituted the extreme West of the United States, and were without roads or railroads, and water transportation was their only means of travel. The land of Tennessee was practically worthless at the time the Carey letter was written. Spain was holding her control of the Mississippi River as a club over the head not only of the United States, but of every nation that controlled territory adjoining the Mississippi, and Spain's demands and domination of the River had become intolerable. That Senator Blount should desire that the people of Tennessee might have the great dream of their lives—that is, the right to use the Mississippi as an unrestricted highway—only proves that the Senator was absolutely loyal to the interests of the State that he represented. Tennessee, with its sparse population and its total lack of development and the painful poverty of its people at the time the Carey letter was writ-

ten, had very little influence in the Congress of the United States. Tennessee was a kind of step-daughter in the newly formed American Union. It is not difficult to surmise that Senator Blount saw that there was no relief to be expected from Congress for the people of Tennessee in reference to the navigation of the Mississippi. If he saw this, and undertook to get relief for his State, instead of being a criminal and an outlaw, he would be a patriot, and with this explanation the letter written by the Senator to the people of Tennessee on July 5, 1797, becomes clear in which he used the language: "The people upon the Western waters will see nothing but good in it (the Carey letter) for so I intended it, especially for Tennessee;" and this is the sum of the whole matter; and this is why, when he returned to Tennessee after being expelled from the Senate, he was received not as a disgraced and outlawed public official, but with open arms by his fellow citizens.

It was through Senator Blount that the first constitutional convention of Tennessee adopted the 29th Section of the Bill of Rights as follows: "That an equal participation in the free navigation of the Mississippi River is one of the inherent rights of the citizens of this State; it cannot, therefore, be conceded to any prince, potentate, power, person or persons whatever."

He was expelled from the Senate July 8, 1797, and General James White in two or three months resigned from the Tennessee State Senate of which he was Speaker, in order that Senator Blount might take his place, and the Senator was elected to the State Senate, and made Speaker on December 3, 1797. In five months the people of Tennessee showed their resentment at the Senator's expulsion from Congress in the most emphatic manner in their power, namely, by making him the Speaker of their highest legislative body.

If we should put the case in its strongest possible light against Senator Blount, and assume that he did enter into an agreement with England by which England was to get the control of Louisiana, and thereby dominate the Mississippi River, and thereby give to the American people free and unrestricted navigation of that river, we hardly think that any American citizen would very seriously condemn him; but, as a matter of fact, no agreement was ever made. That something of the kind was discussed by Senator Blount and his friends, we assume to be beyond question. There is not a particle of evidence that the Senator ever contemplated leading a military force out of the United States, and thereby making possible a war between Spain and the United States, and there

is not a particle of evidence that anything he ever said or did as referred to in the Carey letter, would have brought war or disagreement between the United States and Spain. The modern reader can but see in his expulsion cold-blooded national politics with the wires being pulled by parties evidently in the background for undisclosed purposes, and not because of any violation of law indicated by the Carey letter.

HON. MARCUS J. WRIGHT ON WILLIAM BLOUNT.

Honorable Marcus J. Wright, now eighty years of age, was a Brigadier General from Tennessee in the Confederate Army, and was appointed by President U. S. Grant as the Confederate member of a Commission of three to take charge of the printing for the Government of the records of the Civil War; and ever since his appointment he has been in the War Records Department of the United States at Washington. In 1884 he wrote a short life of Senator Blount—a pamphlet of one hundred and forty-two pages—and in it he gave an account of the charges before the Senate against the Senator, a summary of the testimony of the witnesses, the trial and the expulsion, and some account of his life and history generally. To General Wright's book and to Dr. J. G. M. Ramsey is due much of what we know about Senator Blount, and as General Wright is a Tennessean and wrote his Life of Blount as a vindication, a quotation of his own words will be of interest to the large number of Tennesseans who know him personally. In Chapter thirty we find the following:

"Under the old Confederation the people of Tennessee had been unaided and unprotected in all of their Indian wars. They had received neither troops nor money. They were isolated and cut off from trade with the East by mountain ranges, and cut off from New Orleans by Spanish prohibition; the United States was either unable or unwilling to secure for them the free navigation of the Mississippi River, and in general was little disposed to take notice of their grievances. They entertained no strong affection for the old Confederation, and when the new Federal Constitution was submitted to them the first time they rejected it by an almost unanimous vote. Afterwards they did accept it in the hope that the general government would extend them relief. The hope was vain. Monette says:

"The prevalence of Eastern influence in Congress and in the Cabinet of the United States was strong and swayed the national policy as to measures affecting the Eastern people, and these meas-

ures operated no less perniciously upon them than if they had been prompted by interested jealousy in the Atlantic States.'

"Putnam says: 'The politicians in the Eastern States said let us secure the fisheries; what matters it if the navigation of the Mississippi is yielded for five and twenty years, or forever?'

"* * * If no redress could be had during Washington's administration, still less could any be hoped for under the succeeding administration, which was alike characterized by its tame submission to foreign insults as by the ferocity of its Alien and Sedition Laws. There was no hope from the government; the people of the West must help themselves or be irretrievably ruined as they were justified at the time in supposing; Governor Blount planned an enterprise for their relief; we have seen what the plan was. It was to secure them the free navigation of the Mississippi; a right which had been declared in the twenty-ninth section of the Bill of Rights of Tennessee to be 'one of the inherent rights of the citizens of this State'. This provision was inserted at the instance and by the efforts of Governor Blount in 1796, two years before he was impeached for making an arrangement for carrying it into effect. The people of Tennessee looked to Governor Blount for relief; he had been identified with the early history and government of the State, and felt it to be his duty to attempt to secure relief. He made the effort and failed. For making this effort he was expelled from the Senate of the United States and impeached. But those who sought to disgrace him were disappointed. What was intended for his humiliation redounded to his greater honor. If he had been a popular favorite before, he was now regarded as a victim of Eastern selfishness and as a martyr to the cause of the Western people."

A rather amusing incident of the impeachment occurred when Senator Blount forfeited his bond of one thousand dollars and did not appear for trial before the Senate. Dr. Ramsey says that the Sergeant at Arms, James Mathers, was sent by the Senate to Knoxville to take the Senator into custody and bring him before that body. Mathers proceeded to Knoxville and served the Senate's process upon Blount, who of course, refused to go. The Sergeant at Arms was entertained as a guest at the Senator's house and courteously received by the State authorities. After staying about Knoxville for a few days he summoned a posse of citizens to assist him to take the Senator back to Philadelphia—but not a man would serve. Sergeant at Arms Mathers was then not long in coming to the conclusion that he had better start for home, and a number of citizens rode with him a few miles out of town, bade him goodbye with the greatest courtesy, and assured him with all

possible politeness that William Blount could not be taken as a prisoner out of Tennessee.

His expulsion not only did not injure him with Tennesseans, but it made him more popular than ever, for the people looked upon it just as the fact was, that he was expelled when he was trying to do something in the service of his State.

Later, Willie Blount was elected three times Governor of Tennessee, and William G. Blount, the Senator's son, was elected Secretary of State by the Tennessee Legislature, and later, upon the death of John Sevier, was elected a member of Congress from the Knoxville District.

Pleasant M. Miller, the Senator's son-in-law, served as a member of Congress; and another son-in-law, Edmund P. Gaines, was a General in the United States army.

Senator Blount died on the twenty-first of March, 1800. His wife died on October 7, 1802, and they are buried side by side in the First Presbyterian Churchyard in Knoxville.

Six children survived the couple.

CHAPTER 7.

Blount—Ordinance of 1787 and Blount's Journal as Governor of the Territory South of the Ohio River.

The Tennessee Historical Society has the good fortune to have in its archives an original manuscript copy authenticated by Daniel Smith, Secretary of the Territory, of Governor Blount's Journal of his Executive Acts as Governor of the "Territory south of the River Ohio," which Journal the Ordinance of 1787 required the Secretary to keep and report the executive proceedings twice a year to the Secretary of State of the United States. This document is indispensable to a student who wishes to know the history of Tennessee from its first, organized stable government, and when the effort was being first made to wrest the beautiful State by organized government from the dominion of the red man. Names occur all through this journal that became notable either in the development of the State of Tennessee or other parts of the southwest. There are families in Tennessee today who refer with pride to the part taken by some ancestor of theirs in the Territorial Government of the State under Governor Blount, or in the early days of the State government which began on June 1, 1796.

The Journal is given in full and is in two parts: The first from the organization of the Territory to March 1, 1794, and the second from that date to March 1, 1796.

That the reader may appreciate the full power invested in Governor Blount by the Ordinance of 1787, and more intelligently comprehend the full scheme and plan of the Territorial Government, we reproduce:

1. "An Ordinance for the Government of the Territory of the United States northwest of the River Ohio," passed by the Confederate Congress July 13, 1787, and which, subsequently, was the plan of government adopted for the Territory south of the Ohio, with the exception that slavery was allowed in the Territory South of the Ohio.

RESIDENCE OF GOVERNOR WILLIAM BLOUNT, KNOXVILLE, TENNESSEE.

Probably the oldest frame house West of the Alleghany Mountains.



2. "An Act to provide for the Territory Northwest of the Ohio River," passed at the first session of the first Congress which met under the Constitution of the United States, which Act merely enacts into law under the Constitution the Ordinance of 1787 passed under the Confederacy;

3. "An Act for the Government of the Territory of the United States South of the River Ohio," passed at the first session of the second Congress under the Constitution, and approved May 26, 1790, prescribing that the government shall be that of the Ordinance of 1787.

The Ordinance and the two Acts of Congress are printed in the above order.

"An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio.

"SECTION 1. Be it ordained by the United States in Congress assembled, That the said territory, for the purpose of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress make it expedient.

"SEC. 2. Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among, their children and the descendants of a deceased child in equal parts, the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have in equal parts among them their deceased parent's share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one-third part of the personal estate, and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and be recorded within one year after proper magistrates, courts and registers, shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now

in force among them, relative to the descent and conveyance of property.

"SEC. 3. Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district and have a freehold estate therein in one thousand acres of land, while in the exercise of his office.

"SEC. 4. There shall be appointed from time to time, by Congress, a secretary whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in exercise of their offices; and their commissions shall continue in force during good behavior.

"SEC. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

"SEC. 6. The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

"SEC. 7. Previous to the organization of the general assembly the governor shall appoint such magistrates and other civil officers in each county or township as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

"SEC. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed, from time to time, as circumstances may require, to lay out the parts

of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

"SEC. 9. So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority with time and place, to elect representatives from their counties or townships to represent them in the general assembly: Provided, that for every five hundred free male inhabitants there shall be one representative, and so on progressively, with the number of free male inhabitants, shall the right of representation increase until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the legislature: Provided, that no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years, and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

"SEC. 10. The representative thus elected shall serve for the term of two years, and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

"SEC. 11. The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to-wit: As soon as representatives shall be elected the governor shall appoint a time and place for them to meet together, and when they meet they shall nominate ten persons, resident in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the gov-

ernor, legislative council and house of representatives shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house and by a majority in the council shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly when, in his opinion, it shall be expedient.

"Sec. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the governor before the President of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

"Sec. 13. And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, admission to a share in the Federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

"Sec. 14. It is hereby ordained and declared, by the authority aforesaid, that the following articles shall be considered as articles of compact between the original States and the people and States in the said territory, and forever remain unalterable, unless by common consent, to-wit:

ARTICLE I.

"No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship, or religious sentiments, in the said territory.

ARTICLE II.

"The inhabitants of the said territory shall always be entitled to the benefits of the writs of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary,

for the common preservation, to take any person's property or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts, or engagements, bona fide, and without fraud previously formed.

ARTICLE III.

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ARTICLE IV.

"The said territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembly, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the Federal debts, contracted, or to be contracted, and a proportional part of the expenses of government to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district, or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona-fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and Saint Lawrence, and the carrying places between the same, shall be common highway and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ARTICLE V.

"There shall be formed in the said territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to-wit: The Western State, in the said territory, shall be bounded by the Mississippi, the Ohio, and the Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, And it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatever and shall be at liberty to form a permanent constitution and State government: Provided, The constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles, and, so far as it can be, consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period and when there may be a less number of free inhabitants in the State than sixty thousand.

ARTICLE VI.

"There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

"Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby, repealed, and declared null and void.

"Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

"An Act to provide for the Government of the Territory Northwest of the River Ohio.

"Whereas, in order that the ordinance of the United States in Congress assembled, for the government of the territory northwest of the River Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present Constitution of the United States:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases in which, by the said ordinance, any information is to be given or communication made by the governor of the said territory to the United States in Congress assembled, or to any of their officers, it shall be the duty of the said governor to give such information and to make such communication to the President of the United States; and the President shall nominate, and, by and with the advice and consent of the Senate shall appoint all officers which, by the said ordinance, were to have been appointed by the United States in Congress assembled, and allofficers so appointed shall be commissioned by him; and in all cases where the United States in Congress assembled might, by the said ordinance, revoke any commission, or remove from any office, the President is hereby declared to have the same powers of revocation and removal.

"SEC. 2. And be it further enacted, That in case of the death, removal, resignation, or necessary absence of the governor of the said territory, the secretary thereof shall be and he is hereby authorized and required to execute all the powers and perform all the duties of the governor during the vacancy occasioned by the removal, resignation, or necessary absence of the said governor.

"An Act for the Government of the Territory of the United States South of the River Ohio.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the territory of the United States south of the River Ohio, for the purpose of temporary government, shall be one district; the inhabitants of which shall enjoy all the privileges, benefits and advantages set forth in the ordinance of the late Congress for the government of the territory of the United States northwest of the River Ohio. And the government of the said territory south of the Ohio shall be similar to that which is now exercised in the territory northwest of the Ohio; except so far as is otherwise provided in the conditions expressed in an act of Congress of the present session, entitled 'An Act to accept a cession of the claims of the State of North Carolina to a certain district of western territory.'

"SEC. 2. And be it further enacted, That the salaries of the officers which the President of the United States shall nominate and, with the advice and consent of the Senate, appoint, by virtue of this act, shall be the same as those by law established of

similar officers in the government northwest of the River Ohio. And the powers, duties, and emoluments of a superintendent of Indian affairs for the southern department shall be united with those of the governor.

"Approved, May 26, 1790."

GOVERNOR BLOUNT'S JOURNAL.

"A Journal of the Proceedings of William Blount, Esquire, Governor in and over the Territory of the United States of America south of the River Ohio, in his executive department.

"Friday, October 22d, 1790.

"The Governor laid out that tract of country heretofore distinguished and known by the name of Washington County, in the State of North Carolina, into a county to be in the future distinguished and known by the name of Washington County, in the Territory of the United States of America south of the River Ohio.

"Saturday, October 23rd, 1790.

"The persons holding commissions in the County of Washington, under the authority of the State of North Carolina, being convened at the request of the Governor, at the courthouse, he addressed them as follows:

"Gentlemen of the County of Washington, who have been in the exercise of the Government under the authority of the State of North Carolina.

"I have called you together on this day to make known to you officially, that on the second day of April last, Congress did pass 'An Act to accept the Cession of the claims of North Carolina to a certain district of western territory' which Acts is in the words following,

Congress of the United States,
At the Second Session,

"Begun and held at the City of New York, on Monday, the fourth of January, one thousand seven hundred and ninety.

"An Act to accept the Cession of the Claims of the State of North Carolina, to a certain district of western territory.

"A Deed of Cession having been executed, and the Senate offered for acceptance to the United States of the claims of the State of North Carolina, to a district of territory therein described; which deed is in the words following, viz:

To all who shall see these Presents,

"We, the under written Samuel Johnston and Benjamin Hawkins, Senators in the Congress of the United States of America, duly and constitutionally chosen by the legislature of the State of North Carolina, send greeting.

"Whereas the General Assembly of the State of North Carolina, on the—— day of December, in the year of our Lord,

one thousand seven hundred and eighty-nine, passed an Act, entitled 'An Act for the purpose of ceding to the United States of America, certain western lands therein described,' in the words following, to-wit:

"Whereas, the United States in Congress assembled, have repeatedly and earnestly recommended to the respective States in the Union, claiming or owning vacant western territory, to make cessions of part of the same, as a further means, as well as of hastening the extinguishment of the debts as of establishing the harmony of the United States; and the inhabitants of the said western territory being also desirous that such cession should be made, in order to obtain a more ample protection than they have heretofore received. Now this State, being ever desirous of doing ample justice to the public creditors, as well as the establishing the harmony of the United States, and complying with the reasonable desires of her citizens; Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that the Senators of this State, in the Congress of the United States, or one of the Senators and any two of the Representatives of this State, in the Congress of the United States, are hereby authorized, empowered and required to execute a deed or deeds on the part and behalf of this State, conveying to the United States of America, all right, title and claim which this State has to the Sovereignty and territory of the lands situated within the chartered limits of this State west of a line beginning on the extreme height of the Stone Mountain, at the place where the Virginia line intersects it, running thence along the extreme height of the said mountain to the place where Watauga river breaks through it, thence a direct course to the top of the Yellow Mountain where Bright's road crossed the same; thence along the ridge of said mountain between the waters of Doe river and the waters of Rock Creek, to the place where the road crosses the Iron mountain; from thence along the extreme height of said mountain, to where Nolichucky river runs through the same, thence to the top of Bald Mountain; thence along the extreme height of the said mountain to the Painted Rock, on the French-broad river; thence along the highest ridge of said mountain, to the place where it is called the great Iron or Smoky Mountain; thence along the extreme height of the said mountain, to the place where it is called Unicoi or Unaka Mountain, between the Indian towns of Cowee and old Chota; thence along the main ridge of the said mountain, to the southern boundary of this State, upon the following express conditions and subject thereto, that is to say: First, That neither the lands nor the inhabitants westward of the said mountain shall be estimated after the cession made by virtue of this act shall be accepted, in the ascertaining the proposition of this State with the United States in the common expense occasioned by the late war. Secondly, That the lands laid off or directed to be laid off, by any

act or acts of the General Assembly of this State, for the officers and soldiers thereof, their heirs and assigns respectively, shall be and enure to the use and benefit of the said officers, their heirs and assigns and respectively; and if the bounds of the said lands already prescribed for the officers and soldiers of the continental line of this State shall not contain a sufficient quality of lands fit for cultivation, to make good the several provisions intended by law, that such officer or soldier, or his assignee, who shall fall short of his allotment or proportion, after all the lands fit for cultivation within the said bounds are appropriated, be permitted to take his quota of such part thereof as may be deficient, in any other part of the said territory intended to be ceded by virtue of this act, not already appropriated. And where entries have been made agreeable to law, and titles under them not perfected by grant or otherwise, then, and in that case, the Governor for the time being, shall and he is hereby required to perfect, from time to time, such titles, in such manner as if this act had never been passed. And that all entries made by, or grants made to all and every person or persons whatsoever, agreeable to law, and within the limits hereby intended to be ceded to the United States, shall have the force and effect as if such cession had not been made; and that all and every right of occupancy and pre-emption, and every other right reserved by any act or acts of persons settled on, and occupying lands within the limits of the lands hereby intended to be ceded as aforesaid, shall continue to be in full force, in the same manner as if the cession had not been made, and as conditions upon which the said lands are ceded to the United States; and further it shall be understood, that if any person or persons shall have, by virtue of the act, entitled 'An Act opening the land office for the redemption of species and other certificates, and discharging the arrears due to the army,' passed in the year one thousand seven hundred and eighty-three, made his or their entry in the office usually called John Armstrong's office, and located the same to any spot or piece of ground, on which any other person or persons shall have previously located any entry or entries, that then, and in that case, the person or persons having made such entry or entries, or their assignee or assignees, shall have leave, and be at full liberty to remove the location of such entry or entries to any lands on which no entry has been specially located, or on any vacant lands included within the limits of the lands hereby intended to be ceded; Provided, that nothing herein contained shall extend or be construed to extend to the making good any entry or entries, or any grant or grants heretofore declared void, by any act or acts of the General Assembly of this State. Thirdly, That all the lands intended to be ceded by virtue of this act to the United States of America, and appropriated as before mentioned, shall be considered as a common fund for the use and benefit of the United States of America, North Carolina inclusive, according to their respective and usual

proportion in the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever. Fourthly, That the territory so ceded shall be laid out and formed into a State or States, containing a suitable extent of territory, the inhabitants of which shall enjoy all the privileges, benefits and advantages set forth in the ordinance of the late Congress, for the government of the western territory of the United States, that is to say, whenever the Congress of the United States shall cause to be officially transmitted to the executive authority of this State, an authenticated copy of the act to be passed by the Congress of the United States, accepting the cession of territory made by virtue of this act, under the express conditions hereby specified; the said Congress shall at the same time assume the government of the said ceded territory, which they shall execute in a manner similar to that which they support in the territory west of the Ohio, shall protect the inhabitants against enemies, and shall never bar or deprive them of any privileges which the people in the territory west of the Ohio enjoy; provided, always, that no regulations made or to be made by Congress, shall tend to emancipate slaves. Fifthly, that the inhabitants of the said ceded territory, shall be liable to pay such sums of money as may from taking their census, be their just proportion of the debt of the United States, and the arrears of the requisitions of Congress on this State. Sixthly, that all persons indebted to this State residing in the territory intended to be ceded by virtue of this act, shall be held and deemed liable to pay such debt or debts in the same manner, and under the same penalty or penalties, as if this act had never been passed. Seventhly, that if the Congress of the United States do not accept the cession hereby intended to be made in due form, and give official notice thereof to the executive of this State, within eighteen months from the passing of this act, then this act shall be of no force or effect whatsoever.

"Eighthly, That the laws in force and use, in the State of North Carolina, at the time of passing this act, shall be and continue in full force within the territory hereby ceded, until the same shall be repealed, or otherwise altered by the legislative authority of the said territory.

"Ninthly, that the lands of non-resident proprietors within the said ceded territory shall not be taxed higher than the lands of residents.

"Tenthly, that this act shall not prevent the people now residing south of French-broad, between the rivers of Tennessee and Big Pigeon, from entering their pre-emptions in that tract, should an office be opened for that purpose, under an act of the present General Assembly. And, be it further enacted by the authority aforesaid, that the sovereignty and jurisdiction of this State in and over the territory aforesaid and all and every the inhabitants thereof, shall be and remain the same in all respects,

until the Congress of the United State shall accept the cession to be made by virtue of this act, as if this act had never been passed.

"Read three times, and ratified in General Assembly, the —— day of December, A. D. 1789.

CHAS. JOHNSON, JP., Sen.
S. CABARRUS, SP., H. C.

"Now therefore know ye, that we Samuel Johnston, and Benjamin Hawkins, Senators aforesaid, by virtue of the power and authority committed to us by the said act, and in the name, and for, and on behalf of the said State, do, by these presents convey, assign, transfer and set over unto the United States of America, for the benefit of the said States, North Carolina inclusive, all right, title and claim of which the said State hath to the sovereignty and territory of the lands situated within the chartered limits of the said State, as bounded and described in the above recited act of the General Assembly, to, and for the uses and purposes, and on the conditions mentioned in the said act.

"In witness whereof, we have hereunto subscribed our names and affixed our seals, in the Senate-Chamber at New York, this the twenty-fifth day of February, in the Year of our Lord, one thousand seven hundred and ninety, and in the fourteenth year of the independence of the United States of America.

"SAM. JOHNSTON, (L. S.)
"BENJAMIN HAWKINS, (L. S.)

"Signed sealed and delivered in the presence of

"SAM. A. OTIS.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said deed, be, and the same is hereby accepted.

"FREDERICK AUGUSTUS MUHLENBERG, Speaker of the house of Representatives.

"JOHN ADAMS, Vice-President of the United States and President of the Senate.

"Approved April the second, 1790.

"GEORGE WASHINGTON, President of the United States.

"true copy.

"TH. JEFFERSON, Secy. of State.

"To this act, Gentlemen, is prefixed a Proclamation, issued on the fourth day of September last, by his Excellency Alexander Martin, Esquire, Governor, Captain General and Commander in Chief, in and over the State of North Carolina. It is in the following words.

"State of North Carolina &c.

"By his Excellency Alexander Martin, Esquire, Governor, Captain General, and Commander in Chief in and over the said State.

A Proclamation.

"Whereas, the Secretary of the United States, hath transmitted to me a Copy of an Act of Congress hereunto annexed, instituted 'An Act to accept a cession of the claims of the State of North Carolina to a certain District of western Territory' duly authenticated.

"I have thought proper to offer this my Proclamation, announcing the same to the good citizens of this State, and the said Territory, and others whom it may concern, that they pay the due obedience thereto, and govern themselves accordingly.

"Given under my hand and the great seal of the State which I have caused to be hereunto affixed at Danbury, the fourth day of September, A. D. 1790, and XV Year of the Independence of the United States, by his Excellency's command.

God save the State, "ALEX. MARTIN.

"THO. ROGERS, Pro. Sec. T.

"I have now, Gentlemen, to inform you, that the President of the United States of America did nominate and by and with the advice and consent of the Senate, on the eighth day of June last appoint me Governor in and over the said Territory of the United States of America, south of the river Ohio, as appears by his letters patent in the following words.

"George Washington, President of the United States of America—

"To all who shall see these presents, Greeting.

"Know ye that reposing special trust and confidence in the patriotism, integrity and abilities of William Blount, Esquire, a citizen of North Carolina, I have nominated, and by and with the advice and consent of the Senate, do appoint him Governor in and over the Territory of the said United States south of the river Ohio, and do authorize and empower him to execute and fulfill the duties of that office, according to law, and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining, for the term of three years, from the day of the date hereof, unless the President of the United States for the time being, shall be pleased sooner to revoke and determine this commission.

"In testimony whereof, I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of New York, the eighth day of June in the Year of our Lord one thousand seven hundred and ninety.

"G. WASHINGTON.

"by the President.

"TH: JEFFERSON.

"United States of America—

"This is to certify all whom it may concern, that his Excellency William Blount, Esquire, Governor in and over the Territory of the United States, south of the river Ohio, did on the twentieth day of September, in the Year of our Lord, one thousand and seven hundred and ninety, at Alexandria, in the Commonwealth of Virginia, take before me the Oath to support the Constitution of the United States, and also an Oath of Office as Governor of the said Territory.

"JA: IREDELL, one of the associate Justices of the Supreme Court of the United States.

"From hence forward, Gentlemen, all Commissions issued under the authority of the State of North Carolina, to any and every person in Washington County, either civil or military are void and of no effect, and all and every person will cease to act under them. One article of the Act of Cession of the State of North Carolina is that Congress on the acceptance of the claim of the Territory by that act ceded, shall assume the government thereof and execute it in a manner similar to that which they support northwest of the river Ohio. The Ordinance of Congress for the Government of the Territory northwest of the river Ohio, is in the words following:

(Here follows the well-known Ordinance of 1787 above set out.)

"By this ordinance, Gentlemen, you are informed that the government of this territory is to be administered by officers appointed by Congress, or by the Governor under their authority. The President has been pleased to appoint the Judges and the Secretary, and I shall now proceed to appoint the necessary officers for the county of Washington, whose duty it will be to administer the government according to the laws of North Carolina as declared in force and use by the act of cession, and the laws and ordinances of the Congress of the United States.

"David Campbell, Esquire, then presented to the Governor letters patent bearing the date of June 8th, 1790, under the hand of the President of the United States, of America, by which it appeared that the said David Campbell, Esquire, was on that day appointed one of the judges in and over the Territory of the United States of America south of the river Ohio, and took before him the oath to support the constitution of the United States of America, and also an Oath of Office.

"The Governor then appointed and commissioned John Sevier, Landon Carter, Charles Robertson, Andrew Greer, John Chisolm, Edmund Williams, James Allison, James Stewart, John Strain, John Weir, Robert Love, Joseph Bertain, John Miligan, Joshua Kelly, Richard White, Edward Smith, William Cobb, and Samuel Hendley, Justices of the Peace for the County of Washington, of whom the thirteen first mentioned immediately

took the Oath to support the constitution of the United States and an oath of office before Judge Campbell, in presence of the Governor.

"Here it is remarked that these and all other Commissions issued by the governor were to continue during good behaviour, or the existence of the temporary government of the United States of America south of the river Ohio, unless in those cases where it is expressly mentioned otherwise.

"Appointed and commissioned Michael Harrison, Sheriff, George Williams, Peter McNamer, and William Alexander, deputy Sheriffs, and

"William McCloud, William Ward, Francis Baker, George House, James McCord and James Denton, Constables for the county of Washington, to continue in office until the Court of Pleas and Quarter Sessions in May next, and to the end thereof and no longer.

"Appointed and commissioned the following militia officers in the county of Washington—namely.

Landon Carter, Lieutenant Colonel Commandant.

Robert Love, Lieutenant Colonel.

John Blair, First Major.

Leroy Taylor, Second Major.

Samuel McQueen, Cornelius Bowman, Alexander Greer, Thomas Maxfield, Jonathan Tully, George Williams, George North, William Stone, John Campbell, John Miligan, James Wiley, Samuel Hendley, Jacob Brown, James Love and Thomas Biddle, Captains.

"David Waggoner, Solomon Campbell, Nicholas Carriger, Thomas Lackey, Joseph Morrison, John Layman, John Melvin, David Carson, Solomon Yeager, James Scott, Thomas Gann, Obadiah Bounds, Nathaniel Armstrong, Moses Rogers, Lieutenants.

"William Swiney, John Vantrees, Jonathan Tipton, Solomon Massengal, Daniel Bailess, Henry Oldham, James Hall, John Clark, Joseph Rogers, John Blevins and George Davis, Ensigns.

"Appointed and commissioned William Stephenson, Register of the county of Washington.

Monday, October 25th, 1790.

"The Governor laid out a tract of country, heretofore distinguished and known by the name of Sullivan County, in the State of North Carolina, into a county to be in the future distinguished and known by the name of Sullivan county in the Territory of the United States of America south of the river Ohio.

"The persons holding commissions in the County of Sullivan under the authority of the State of North Carolina, having convened at the court house at the request of the Governor, he addressed them in the words he had addressed those at the Washington Court House on the 23rd, and then appointed and

commissioned.—George Maxwell, John Scott, John Shelby, Abraham McLellan, William King, William Delany, Gilbert Christian, John Anderson, Joseph Wallace, Robert Allison, Richard Gammon, David Perry, George Vincent and David Loony, Justices of the peace in and for the county of Sullivan.

“George Rutledge, Sheriff, William McCormack and Robert Rutledge, deputy Sheriffs, for said county to continue in office until the court of pleas and Quarter Sessions in next, and to the end thereof, and no longer.

“Matthew Rhea, Clerk of the court of pleas and quarter Sessions in said county. All of whom immediately took oath to support the constitution of the United States and of office, before Judge Campbell in presence of the Governor.

“Appointed and commissioned the following persons officers in the Militia of Sullivan county.

Gilbert Christian, Lieutenant Colonel Commandant.

John Scott, Lieutenant Colonel.

Matthew Rhea, First Major.

George Rutledge, Second Major.

David Bragg, William Burk, Robert Christian, William Childress, Samuel Buchers, Andrew Beaty, Joseph Cole, Solomon Smalling, William McCormack, Francis Berry, William Pemberton and James Gregg, Captains.

“Isaac White, Nicholas Mercer, William Skillern, Joshua Hamilton, William Simson, William Snodgrass, David Lewis, Jacob Weaver, Robert Rutledge, William Blair, John Laughlin, and John King, Lieutenants.

“Robert Easly, Jacob Job, Joseph Craft, Anthony Sharp, Robert Yancey, James Beaty, Elisha Cole, Daniel Smith, John McLellen, Robert Blair, John Keywood, jun., and Samuel Dunsmore, Ensigns.

Friday, October 20th.

“Appointed and commissioned Stephen Majors Register for the county of Sullivan.

Saturday, October 30th.

“Appointed and commissioned Joseph Crocket to the office of Stray Master of Sullivan county.

“Charles Parker, William Jackson, David Motly, Matthew Caruthers, Abel Edwards, Edward Sterling and James Davis, Constables, to continue in office until the court of Pleas and Quarter Sessions in March next and to the end thereof and no longer.

Monday, November 1st, 1790.

“The Governor laid out that tract of country heretofore distinguished and known by the name of Greene county in the State of North Carolina into a county to be in future distinguished and known by the name of Greene county in the territory of the United States of America south of the river Ohio.

"The persons holding commissions in the county of Greene under the authority of the State of North Carolina having convened at the court house at the request of the Governor, he addressed them in the words he had addressed those at Washington court house on the 23rd October. Then appointed and commissioned the following persons officers in the county of Greene, namely, James Patterson, John Guess, John Umphry, Asahel Rawlings, James Wilson, Joseph Harden, Alexander Outlaw, John Lee, John Newman, Robert Campbell, David Russell, William Wilson, John Weir, David Rankin, and John Gordon, Justices of the Peace.

"Daniel Kennedy, Clerk of the Court of Pleas and Quarter Sessions.

"Archibald Roan, County Attorney and Solicitor.

"Asahel Rawlins Coroner, and John Newman Stray-master.

"James Richardson, Sheriff, William Senate and James Stinson Deputy Sheriffs.—Thomas Brumly, Barnabas Brumley, James Hays, Edmund Crump, James Johnston, Cornelius Newman, James Rutledge, William Small, Daniel Henderson and Samuel Hall, Constables, until the Court of Pleas and Quarter Sessions in May next and to the end thereof and no longer. Who took before Judge Campbell the Oath to support the Constitution of the United States of America, and an oath of office.

"Licensed Archibald Roan, Joseph Hamilton, Waightstill Avery and James Rees, Esquires, to practice as Attorneys in the several courts of law and equity, and Ephraim Dunlop, Alexander McGinty, and John Rhea in the several courts of Pleas and Quarter Sessions, only.

"Appointed and commissioned the following militia officers. George Hays, Ninian Steel, Edward Tate, Joseph Kersey, Robert Campbell, Ewin Allison, Joseph Lusk, Anderson Walker, George Conway, James Donaho, John Wilson, Samuel Gregg, William White, Robert McFarland, Peter Fine, James Evans, Stephen Copeland, Samuel Beard, James Hill, William Lillard, Captains.

"John McDonald, Alen Miller, John Slaughter, Cornelius Newman, Nathaniel Hays, David Robinson, James Ladderdale, Joseph Gift, Daniel Walker, William Brotherton, Johnson King, Samuel Kersey, Elijah Witt & Thomas Conway, Lieutenants.

"Joseph Hinnon, William Wilson, Elijah Venteh, Robert Hays, Allen Gillaspie, John Gibson, William Ladderdale, John Bryan, John Johnson, Thomas Conway, John Waggoner, Hugh Brown, John Moyer & John Reagon, Ensigns.

Wednesday, Novr. 3rd, 1790.

The Governor laid out that tract of country heretofore distinguished and known by the name of Hawkins county in North Carolina, into a county to be in the future distinguished and known by the name of Hawkins county in the territory of the United States of America south of the river Ohio.

"The persons holding commissions' in the county of Hawkins under the authority of the State of North Carolina, having convened at the Court-house at the request of the Governor, he addressed them as he had done those on the 23rd of October in Washington county. Then appointed and commissioned for the said county David Larkin, James Berry, John Cox, Thomas Caldwell, Elijah Chisolm, William Payne, Thomas Henderson, Thomas Amis, James Blair, John Long, John Carns, William Read, Joseph Perrin, John King, Isaac Lane, John Adair, and James White, Justices of the Peace.

"Richard Mitchel, Clerk of the Court of Pleas and Quarter Sessions, Richard Mabry, Register, and Samuel Wilson, Stray-Master.

"Thomas Berry, Sheriff, John Payne, Deputy Sheriff.

"David Caldwell, Mordicai Haygood, Joseph Crabb, Jacob Croft, John Martin, and Edward Fields, Constables, until the Court of Pleas and Quarter Sessions in March next, and to the end thereof, and no longer, all of whom took oath to support the Constitution of the United States and of office before Judge Campbell in presence of the Governor.

"Appointed and Commissioned—

Stockley Donelson, Lieutenant Colonel Commandant.

John Blair, Lieutenant Colonel.

James White, First Major.

John Sayers, Second Major.

John Crafford, John Beard, William McCarty, Bartlett Marshall, Nathaniel Austin, Thomas Berry, James Miles, James Cooper, John Hunt, James Mansco, James Bunch, David Campbell, John Manifee, John Patterson, Thomas Flipping, and William Lee, Captains.

"James Adair, Thomas Cox, James King, Samuel Regs, William Henderson, John Gibbons, Hugh Gwinn, Thomas Larkin, Joseph McMinn, William Payne, senr., Samuel Smith, William Standafer, James Walling & John Toole, Lieutenants.

"John Sanders, John Cooper, John Loony, junr., Stephen Bird, Robert Blair, and Hiram Girin, Ensigns.

"Licensed William Cock to practice as an Attorney in the several Courts of Law and Equity.

"The Governor then laid out the counties of Washington, Sullivan, Greene, and Hawkins, which counties heretofore formed the district of Washington in North Carolina, into a district to be in the future known and distinguished by the name of the District of Washington in the Territory of the United States of America south of the river Ohio.

"Appointed and commissioned Francis Alexander Ramsay, Clerk of the Superior Court of Law for the district of Washington, and Andrew Russell, Clerk and Master in Equity in the Courts of Equity in the said District.

"Appointed and commissioned officers in the Cavalry for the District of Washington, as follows:

Thomas King, Lieutenant Colonel.

Francis Alexander Ramsay, First Major.

George Farragut, Second Major.

James Richardson, Michael Harrison, Moses Webb, and John Young, Captains. John Stone, Samuel Williams, Samuel Cartthers and Alexander Brown, Lieutenants. Stephen Hardin, Samuel Sumner, George Webb and James Hamilton, Cornets.

Monday, Novr. 9th, 1790.

"The Governor appointed and Commissioned James Sevier, Clerk of the Court of Pleas and Quarter Sessions for the County of Washington, and James Rees, County Attorney and Solicitor for the said county, and Elijah Cooper Stray Master for the said county.

November 22d, 1790.

"Licensed John Rhea to practice as an Attorney in the several courts of Law and Equity in the Territory, and appointed and commissioned him County Attorney and Solicitor for the county of Sullivan. Also appointed and commissioned John Stone, Register for the county of Greene.

Wednesday, Decr. 15th, 1790.

"The Governor laid out the tract of country heretofore distinguished and known by the name of Davidson county in North Carolina, into a County to be in the future distinguished and known by the name of Davidson County, in the Territory of the United States of America, south of the river Ohio.

"Also that tract of country heretofore distinguished and known by the name of Sumner County in the State of North Carolina into a county to be in the future distinguished and known by the name of Sumner county in the Territory of the United States of America, south of the river Ohio.

"Also that tract of country heretofore distinguished and known by the name of Tennessee county in North Carolina, to be distinguished and known in the future by the name of Tennessee County in the Territory of the United States of America south of the river Ohio.

"And also laid out the three counties of Davidson, Sumner and Tennessee, being the same that heretofore formed the District of Mero in North Carolina, into a District in the future to be distinguished and known by the name of the District of Mero in the Territory of the United States of America south of the river Ohio.

"The persons holding commissions in the District of Mero under the authority of the State of North Carolina, having con-

vened at Davidson Court-house in Nashville at the request of the Governor, he addressed them as he had those in Washington County on 23rd October.

"John McNairy, Esquire, then presented to the Governor Letters Patent bearing date June 8th, 1790, under the hand of the President of the United States of America, by which it appeared that the said John McNairy, Esquire, was on that day appointed one of the judges in and over the territory of the United States of America, south of the river Ohio, and took before him the oath to support the Constitution of the United States, and also an oath of office.

"Daniel Smith, Esquire, then presented to the Governor letters patent bearing the date of June 8th, 1790, under the hand of the President of the United States of America by which it appeared that the said Daniel Smith was on that day appointed Secretary in and over the Territory of the United States of America south of the river Ohio, and took before him an oath to support the constitution of the United States of America and also an oath of office.

"The Governor then appointed and commissioned James Robertson, Samuel Barton, Ephraim McLean, Robert Hays, Joel Rice, John Kirkpatrick, Robert Weakly, Thomas Molloy, Elijah Robertson, John Donelson, Edwin Hickman, James Mears, Robert Ewing, Adam Lynn, James Ross, David Hay, Robert Edmiston, and James Mulherin, Justices of the Peace for the county of Davidson, all of whom (except Samuel Barton, Ephraim McLean, Joel Rice and Adam Lynn who were absent) immediately took the oath to support the constitution of the United States and also an oath of office before Judge McNairy in the presence of the Governor.

"He then appointed and commissioned Samson Williams, Sheriff, and John Boyd, junr., Simon Suggs, George Blackmore, and George Grimes constables for the county of Davidson to continue in office until the court of Pleas and Quarter Sessions in July next and to the end thereof and no longer.

"Then he appointed and commissioned the following militia officers in the county of Davidson namely—

"James Robertson, Lieutenant Colonel Commandant.

"Elijah Robertson, Lieutenant Colonel.

"Isaac Roberts, First Major.

"David Hay, Second Major.

"William Donelson, Thomas Brown, John Shannon, John Rains, Charles Parker, William Gillespie, David Smith, John Marshall, Ezekiel Smith and Thomas Murray, Captains.

"Alexander Walker, William Nash, Stephen Byrnes, Thomas Kennedy, William Shaw, Charles Snyder, William Nears, William Anderson, and William Porter, Lieutenants.

"John Cochran, Alson Edney, David Nowland, Joseph Hooper, William Armstrong, Joseph Shannon, Argelus Geeber and William Corbet, Ensigns.

"Thomas Molloy, Register of the county of Davidson.

"Andrew Ewing, Clerk of the Court of Pleas and Quarter Sessions for the county of Davidson.

"David Shelby, Clerk of the Court of Pleas and Quarter Sessions for the County of Sumner.

"Anthony Crutcher, Clerk of the Court of Pleas and Quarter Sessions for the County of Tennessee.

"James Mears, Stray Master for Davidson County, James Wilson, Stray Master for Sumner County, and John Phillips, Stray Master for Tennessee County.

"Licensed Josiah Love, John Overton, Andrew Jackson, David Allison, Howell Tatum, James Cole Mountflorence and James White to practice as attorneys in the several courts of Law and Equity in the Territory. And commissioned Bennet Searcy County Attorney and Solicitor for the Counties of Sumner and Tennessee. And licensed Joseph Sitgreaves and Hopkins Lacey to practice in the several Courts of Pleas and Quarter Sessions only.

"Appointed and commissioned Samuel Shannon Coroner for the County of Davidson, and Isaac Walton, Coroner for the County of Sumner.

"Appointed and commissioned for the County of Sumner, Isaac Bledsoe, David Willson, George Winchester, William Walton, Anthony Sharp, Edward Douglas, Joseph Kuykendall, James Winchester and Thomas Masten, Justices of the Peace for Sumner County, of whom George Winchester, Anthony Sharp and Edward Douglas, being those present, did take before Judge McNairy in presence of the Governor, an oath so support the constitution of the United States and also an oath of office.

"William Cage Sheriff of Sumner County until the Court of Pleas and Quarter Sessions in July next and to the end thereof, and no longer.

"The Militia officers for the County of Sumner as follows:

"James Winchester, Lieutenant Colonel Commandant.

"Kasper Mansker, Lieutenant Colonel.

"Anthony Sharp, First Major.

"Edward Douglas, Second Major.

"James McKean, junr., Zebulon Hubbard, Joseph McClew-rath, John Morgan, and James Frazier, Captains.

"Elisha Clarey, James Yates, John White, Stephen Cantrell, and Thomas Patton, Lieutenants.

"Peter Loony, James Hamilton, William Snoddy, John Rule and Joseph Morgan, Ensigns.

"George Winchester Register of Sumner County.

"Appointed and commissioned Ezekiel Polk, Benjamin Menees, Francis Prince, Jacob Pennington, George Nevil, George Bell,

John Philips, Martin Duncan, Justices of the Peace for the County of Tennessee.

"Joseph Nevil, Sheriff, and William Smeathers Constables for the said county until the Court of Pleas and Quarter Sessions in July next and to the end thereof and no longer.

"Appointed and commissioned the Militia Officers of Tennessee County as follows:

"James Ford, Lieutenant Colonel Commandant.

"Isaac Fitzworth, Lieutenant Colonel.

"Jacob Pennington, First Major.

"Josiah Ramsey, Second Major.

"James Fleming, Thomas Johnson, Jesse Cain, and William Glats, Captains.

"John Wilcox, Philip Parchmant, John Couts, and John Cordry, Lieutenants.

"David McFaddin, Abraham Harden, John Edwards, Archibald Mahan, Ensigns.

"Appointed and commissioned officers in the Cavalry in Mero District, namely:

"Robert Hays, Lieutenant Colonel.

"Edwin Hickman, First Major.

"George Winchester, Second Major, which three took the oath to support the constitution of the United States, and oath of office before Judge McNairy in the presence of the Governor.

"William Edmiston, George Blackmore and Robert Nelson, Captains; William Blackmore, Reuben Douglas and David Henry, Lieutenants; Jonathan F. Robertson, Zachariah Green and William Reason, Cornets.

"Appointed and commissioned David Allison, Clerk of the Superior Court of Law for the District of Mero, and Joseph Sitgreaves, Clerk and Master in Equity in the Courts of Equity in the said District.

February 15th, 1791.

"Appointed and commissioned William Cock Attorney General for the District of Washington, and Andrew Jackson, Attorney General for the District of Mero.

February 18th, 1791.

"Licensed Alexander McGinty to practise as an Attorney in the several Courts of the Law and Equity in the Territory.

February 26th, 1791.

"Licensed Joseph Hamilton Attorney and County Solicitor for the County of Hawkins.

"The foregoing report No. 1, was enclosed to Thomas Jefferson, Esquire, Secretary of State, in the following letter.

"Territory of the United States of America,
south of the river Ohio. March 1st, 1791:

"Sir:

"Herewith I have the honor to send you the proceedings of Governor Blount in his executive department, from the time of his affirming the government of this territory for, and in the name of the United States, up to this day.

"The act of Congress of 13th July, 1787, ordains that among the duties of the Secretary he shall transmit authentic copies of the acts and proceedings of the Governor every six months to the Secretary of Congress. Will you, sir, be so obliging as to give me your opinion whether these reports must be precisely at the end of six months from the proceeding one? or whether they must not exceed that time.

"Judge Perry is not yet arrived in the territory. The great distance, the difficulty and danger of passing from one district court house to the other, requires that the three judges should reside among us, lest accident or indisposition should prevent one from attending in which case no business could be done.

"I have the honor to be Sir
with etc.

"DANL SMITH.

"Thomas Jefferson, Esquire,
Secretary of State.

"Journal continued from that of No. 1, March 1st, 1791.

March 7th, 1791.

"The Governor appointed and commissioned John Montgomery, Hugh Henry, Basil Boran, and Robert Nelson, Justices of the Peace of Tennessee County. (See remark at foot of page 29.)

"Francis Alexander Ramsay, Notary Public for the District of Washington, and James Cole Mountflorence for the District of Mero.

"Thomas Gillaspie, a Justice of the Peace for Washington County.

March 8th, 1791.

"Appointed and commissioned Thomas Berry, Sheriff, John Payne and Edward Nitchel, Deputies; John Martin, Senior, John Martin, Junior, Joseph Crabb, John Hamlin, William Nevil, David Caldwell, William Meek and John Jackson, Constables in Hawkins County, to continue in office until the Court of Pleas and Quarter Sessions in March next and to the end thereof and no longer.

"Appointed and commissioned Daniel Hamlin, Coroner, and John Manyfee, a Justice of the Peace in Hawkins County.

March 15th, 1791.

"Licensed Hopkins Lacey, Esquire, to practise as an Attorney in the several courts of Pleas and Quarter Sessions within

the territory, and appointed and commissioned him County Attorney and Solicitor for the County of Davidson.

March 16th, 1791.

"Appointed and commissioned Gerge Rutledge, Sheriff of the County of Sullivan until the Court of Pleas and Quarter Sessions in March next and to the end thereof and no longer.

March 18th, 1791.

"Appointed and commissioned William Gillaspie, Captain; George Walker, Lieutenant, and Josiah Love, Cornet of the Troop of Horse, in Davidson County.

March 16th, 1791.

"Robert Rutledge a Deputy Sheriff for the County of Sullivan, and George Webb, Peter Jackson, James Davis and Matthew Caruthers, Constables, until the Court of Pleas and Quarter Sessions in March next and to the end thereof and for no longer.

May 2d, 1791.

"Appointed and commissioned James Richardson, Sheriff, and James Stinson, Deputy Sheriff, for the County of Greene to continue in office until the Court of Pleas and Quarter Sessions in May next and to the end thereof and no longer.

"William Job, Samuel Hall, Daniel Henderson, James Rutledge, Cornelius Newman, James Johnson, Edward Crump, James Hays, Barnabas Brumley and Thomas Brumley, Constables, for the aforesaid County and time.

May 10th, 1791.

"Appointed and commissioned for the County of Washington Cornelius Bowman, a Justice of the Peace.

"William McCloud, James Denton, William Ward, George Houce, Jacob Smith, Samuel Burns, Abraham Henry and Thomas Bounds, Constables for the aforesaid county, until the Court of Pleas and Quarter Sessions in May next and to the end thereof and no longer.

"Charles Robertson, Sheriff, Russell Bean and Robert Irvine Deputy Sheriffs for the same county and time.

"Daniel Kennedy, Esquire, of Greene County, and Landon Carter, Esquire, of Washington County, commissioners for taking affidavits in all causes depending or which shall be depending in this territory agreeable to law passed 1784.

June 2d, 1791. At the Treaty Ground.

"The Governor commissioned and appointed Elijah Robertson, Lieutenant Colonel Commandant of Davidson County, in the place of James Robertson, Esquire, promoted.

"William Donelson, second Major of the same county, in the place of David Hay promoted.

"William Cage, Sheriff of Sumner County, until July term, 1792, and to the end thereof and no longer.

"William Edmiston of Davidson County, second Major of the Cavalry of Mero District, in the place of George Winchester promoted.

"William Blackmore of Davidson County, Captain of the said Cavalry, in the place of William Edmiston promoted.

"Jonathan F. Robertson, Lieutenant of the said Cavalry, in the place of William Blackmore promoted.

"George Davidson, Cornet of the said Cavalry, in the place of Jonathan F. Robertson promoted.

June 3d, 1791.

"William Nash, John Vance and Samuel Smith, Justices of the Peace for Sullivan County.

"Bennet Searcy, Clerk and Master in Equity for the District of Mero, in the place of Joseph Sitgreaves, Esquire, deceased.

June 10th, 1791.

"James Hoggett, Esquire, a Justice of the Peace for the County of Davidson.

"Robert Weakly, Esquire, Brigade Inspector of the militia of Mero District, with the rank of Lieutenant Colonel.

"Henry Bradford, Esquire, Brigade Major of the militia of Mero District, with the rank of Major.

"Isaac Roberts Lieutenant Colonel of Davidson county in the place of Elijah Robertson promoted.

"David Hay first Major of Davidson county in the place of Isaac Roberts promoted.

"Samuel Samples, Joseph McMin, Elijah Chisholm, and William Bailey, Captain of the Militia of Hawkins county.

"Thomas Woodward, James Forgey, John Gilham, William McGhee and James Maberry Lieutenants of the militia of the same county and

"Parish Sims, William Bell, Edward Mitchell, Joseph Taylor, and Nicholas Tate Perkins, Ensigns.

"Thomas Johnson Register of Tennessee County.

June 13th, 1791.

"Joseph Long Lieutenant of the Cavalry of Washington district.

CHAPTER 8.
Blount's Journal Continued.

June 14th, 1791.

"Richard Cavet a Justice of the Peace for Sumner County.

"George Winchester First Major of the Cavalry of Mero District in the place of Edwin Hickman, killed.

"James Maxwell and William Nash Captains of the militia of Davidson County.

"Richard Clark and John Cochran Lieutenants, and Childers, Samuel Donelson, John Smith, and John McGaugh, Ensigns of the same County.

"James Waldrop, Ensign of the militia of Hawkins County.

"Alexander Walker, Captain of the militia of Davidson County, in the place of William Donelson, promoted.

"John Nichols, Esquire, Justice of the Peace for Davidson County.

"Henry Johnson, Sheriff of Tennessee County, until the July term, 1792, and to the end thereof and no longer.

July 15th, 1791.

"Joseph Anderson, Esquire, presented to the Governor Letters Patent, bearing the date _____, under the hand of the President of the United States of America, by which it appeared that the said Joseph Anderson was on that day appointed one of the Judges in and over the Territory of the United States of America south of the river Ohio, and took before him the oath to support the Constitution of the United States, and also the oath of office.

July 26th, 1791.

"Appointed and commissioned Joseph Greer Coroner for Washington County.

"The foregoing report No. 2, was made to Thomas Jefferson, Esquire, Secretary of State, Sept. 1st, 1791—in the enclosure I mentioned the propriety of having a seal made for the territory at the expense of the United States.

"Journal continued from that of No. 2, Sept. 1st, 1791.

Sept. 15th, 1791.

"Governor Blount appointed and commissioned the following officers of the militia for the county of Tennessee, namely:

"Philip Parchment, Captain, in the room Captain Johnson, removed.

"Thomas Johnson, Captain of the Cavalry, in the place of Robert Nelson, resigned.

"Alexander Trousdale, John Cordry and David McFaddin, Lieutenants of the militia.

Willis Hicks, Archibald Mahan, and Archibald Edmiston, Ensigns.

Decr. 15th, 1791.

"Jesse Terry, Constable in Washington County until the court of Pleas and Quarter Sessions in May next, and to the end thereof and no longer.

Decr. 20th, 1791.

"George Williams, Ranger and Stray Master of Washington County, in the place of Elijah Cooper, resigned.

"The foregoing report No. 3, was enclosed to Thomas Jefferson, Esquire, Secretary of State, in a letter of which the following is a copy:

"Territory of the United States of America, south of the river Ohio, March 1st, 1792.

"Sir,

"I have now the honor to transmit to you the executive acts of Governor Blount from Sept. 1st, 1791 to March 1st, 1792.

"I have requested Mr. Allison, the bearer hereof, a Lawyer of reputation, who is on the business and in the confidence of Governor Blount to employ some person to make a seal for this territory, and will thank you to suggest to him a proper device for the same.

"I am sir, etc.,

"DANL. SMITH.

"The acts of 3d session of Congress, additional treaties and index, I have received, but never have received the acts of 1st & 2d sessions of Congress.

"Thos. Jefferson, Esquire, Secretary of State.

"Journal continued from No. 3, of March 1st, 1792.

March 1st, 1792.

"Governor Blount appointed and commissioned Robert Hays, Muster Master, for the District of Mero.

"George Farragut for the District of Washington.

March 5th, 1792.

"Thomas Amis, Commissioner of Affidavits for Hawkins county—(vid foot of page 29, the remark as to the duration of

commission) George Maxwell, Commissioner of Affidavits for Sullivan County.

"Thomas Berry, Sheriff of Hawkins County to continue in office until the end of the court of Pleas and Quarter Sessions, which shall commence on the first Monday in March, 1793, and sent the clerk blank Constable appointments.

"Andrew McNairy, Clerk of the Superior Court of the district of Mero in the place of David Allison, resigned.

April 25th.

"John Sterling, an Ensign in Hawkins County.

"John Scott, Sheriff of Sullivan, until the end of March term, 1793.

May 1st, 1792.

"Sent Sheriff Scott two blank deputy Sheriff's commissions of this date, to be filled by himself for the last mentioned period of time, their names are not reported to the office. James Richardson, Sheriff of Greene, until the end of May term, 1793. Sent him two blanks for deputies whose names are not yet reported. Sent the Clerk blank Constables appointments till May, 1793.

"George Gillaspie, Sheriff of Washington until the end of May term, 1793. Sent him two blanks for deputies for the same period, one of which is filled with the name of Allen Gillaspie, the other not yet reported with whom filled. Sent the Clerk blank Constables appointments for the same period of time.

June 8th, 1792.

"Appointed and commissioned William Prince, Coroner of Tennessee County.

June 11th, 1792.

"Made and published 'An Ordinance for circumscribing the counties of Greene and Hawkins,' in the words following.

"Be it ordained that from and after the fifteenth day of the present month June; The counties of Greene and Hawkins shall be circumscribed by a line beginning on Nolachucky river at the place where the ridge which divides the waters of Bent and Lick Creek strikes it, thence with that ridge to Bull's Gap of Bays Mountain, thence with a direct line to the place where the road that leads from Dodson's ford to Perkin's Iron Works crosses the watery fork of Bent Creek, thence down that road to the head of Panther creek, down the meanders of that creek to the river Holston, thence a northwest course to the river Clinch. Again from Nolachucky river, where the ridge that divides the waters of Bent creek and Lick Creek strikes it, a direct course to Peter Fine's Ferry on French Broad, then south to the ridge that divides the waters of French Broad and Big Pigeon, and with that ridge to the eastern boundary of the territory.

"And be it ordained that two new counties be laid out and established before the aforesaid line, that is to the southward and westward of it, to be distinguished from and after the said fifteenth day of June instant by the names of Jefferson County and Knox County. The County of Jefferson to be butted and bounded by the above described line from the eastern boundary of the territory to the River Holston, and down the River Holston to the mouth of Creswell's Mill Creek, thence a direct line to the mouth of Dumplin Creek on French Broad, thence up the meanders of French Broad to the mouth of Boyd's Creek, thence south twenty-five degrees east to the ridge which divides the waters of Little Pigeon and Boyd's Creek, and with the said ridge to the Indian boundary or the eastern boundary of the territory as the case may be, and by the eastern boundary. And Knox County to be butted and bounded by the line of Jefferson County to the mouth of Creswell's Mill Creek to the Indian boundary or eastern boundary of the territory as the case may be. Again from the mouth of the said creek up to the meanders of the River Holston to the mouth of Panther Creek, thence northwest to the River Clinch, thence by the river Clinch to the place where the line that shall cross the Holston at the ridge that divides the waters of the Tennessee and Little River, according to the Treaty of Holston shall strike it, and by that line.

"And be it ordained that Charles McClung and James Mabrey be appointed Commissioners to run and mark the northwest line from the mouth of Panther Creek to the River Clinch, and the line from the mouth of Creswell's Mill Creek to the mouth of Dumplin: And Alexander Outlaw and Joseph Hamilton that from Bull's Gap to the watery fork of Bent Creek, and from Nolachucky River to Fine's Ferry on French Broad, and the south line to the dividing ridge between French Broad and Big Pigeon.

"And be it ordained that Courts of Pleas and Quarter Sessions shall be held in and for said Counties for the due administration of Justice, for the County of Knox on the third Monday of January, April, July and October. For the County of Jefferson on the fourth Mondays of the same months and may be continued by adjournments from day to day not exceeding six days.

"And be it ordained that the Courts of Pleas and Quarter Sessions shall be held for the County of Knox at Knoxville, and for the County of Jefferson at the house of Jeremiah Matthews.

"Done at Knoxville the 11th day of June in the year of our Lord 1792.

June 16th, 1792.

"Appointed and commissioned James White, John Sayers, David Craig, Samuel Newell, John Adair, Hugh Beard, William Wallace, William Lowery, John Kernes, George McNutt, Thomas McCullock, William Hamilton, Jeremiah Jack, John Evans, and James Crosby, Justices of the Peace for Knox County, who took before Judge Campbell the oath of office and also an oath to support the Constitution of the United States.

"Charles McClung, Clerk of the Court of Knox County, Thomas Chapman, Register, William Houston, Sheriff, until _____ and the following additional Justices, namely,

"John Chisholm, Luke Lea, Joseph Looney, David Campbell, John Hacket, Alexander Kelly, and John Manifee.

"Appointed and commissioned Hugh Beard Captain of a troop of horse of Knox County.

"Nathaniel Evans Lieutenant of the same, and Thomas Milligan, Cornet.

"Appointed and commissioned the Field Officers of Knox County as follows: James White, Lieutenant Colonel Commandant, Alexander Kelly, Lieutenant Colonel, John Sayers, First Major, and Hugh Beard, Second Major.

"David Campbell, John Manifee, John Baird, John Crafford, Thomas Gillaspie, Samuel Samples, Samuel Henry, George Ewing, Samuel Flanagan, John Singleton, James Crosby and Samuel McGahe, Captains. Also Joseph Tedfore, Joseph Black and Thomas Cox.

"Stephen Bird, William Standaford, James Scott, William Reagin, Robert Rhea, Robert Johnson, Archibald Rhea, Andrew Cowan, Thomas Cox, James Adair, Thomas Millegan, Thomas Woodward, Robert Ferguson and John McKain, Lieutenants.

"James Sterling, Hiram Geron, William Hankins, Moses Brook, Robert Patterson, Wilson Davis, James Houstone, Jr., John McCoulough, John McCleland, Jesse Green, Andrew Evans, Jesse Wallace and Robert Boyd, Ensigns.

"Appointed and commissioned for the County of Jefferson:

"George Dohorty, John McNab, Amos Balch, Samuel Wear, Joseph Wilson, Alexander Outlaw, James Roddy, James Lea, William Blackburn, Joshua Gift, William Jackson, Nicholas Perkins, William Cox, and Adam Meek, Justices of the Peace.

"Robert McFarlin, Sheriff, Robert Hodge, Deputy Sheriff, until _____

"Joseph Hamilton, Clerk of the Court.

The Militia Officers of Jefferson County as follows:

"George Dohorty, Lieutenant Colonel Commandant, John McNab, Lieutenant Colonel, John McFarland, First Major and Hugh Kelsey, Second Major.

"James Dohorty, Stephen Copeland, Robert Carson, William Job, Elijah With, Robert King, John Henry, Peter Bryants, Alexander Ward, Thomas Flippin, Adam Wilson, William Lillard, Nicholas Perkins, John Mahan and James Menafe, Captains.

"Abraham Slover, Reuben Dobin, Bartlet Gentry, Henry Knave, James Moyars, John Horner, Joseph Renny, William Henderson, John McFarland, Robert Field, Joshua Tipton, Jesse Nelson, William Shield and Robert McGill, Lieutenants.

"Patrick Selvedge, William Winten, James McQuiston, James Whitsun, Thomas Snoddy, Aquila Lenn, John Ellis, Thomas

Camble, John Huest, William Churchman, William Richardson, William Camble, Abraham Hankins and Alexander McLaughlin, Ensigns.

"Thomas Berry, First Major of Hawkins County and Joseph McMinn, Second Major.

July 1st, 1792.

"John McDowell, Surgeon's Mate to the Militia ordered to the defense of Mero District, during good behavior of the time of service of said Militia.

July 3rd, 1792.

"William Cage, Sheriff of Sumner County until the Court of Pleas and Quarter Sessions in July next, and to the end thereof and no longer.

July 10th, 1792.

"Samson Williams, Sheriff of Davidson County until the Court of Pleas and Quarter Sessions in July next, and to the end thereof and no longer.

July 14th, 1792.

"Appointed and commissioned the following Militia Officers of Sumner County.

"Lieutenant Thomas Patton promoted to be a Captain in the place of Captain Wilson, resigned, Richard King, Lieutenant, and James Wilson, Ensign, Peter Looney a Captain (heretofore a Lieutenant) in the place of Captain McKain, resigned; Ezekiel Norris, Captain, Joseph Morgan, Robert Brigance and John Cummins, Lieutenants.

"John Butler, an Ensign, sent Colonel Winchester five blank commissions to be filled by him, whose names he has not yet reported.

July 16th, 1792.

"Robert Prince, Sheriff of Tennessee County until the Court of Pleas and Quarter Sessions in July next, and to the end thereof and no longer.

July 29th, 1792.

"Thomas Johnson, William Johnson and Isaac Philips, Justices of the Peace for Tennessee County.

The foregoing Report No. 4 was enclosed to Thomas Jefferson, Esquire, Secretary of State, in a letter dated September 1st, 1792,

"Journal of the proceedings of William Blount, Esquire, Governor in and over the Territory of the United States of America south of the River Ohio, in his executive department. Continued from the Report of September 1st, 1792.

September 10th, 1792.

"The Governor appointed, and commissioned John Williamson, John Parks and John Edmiston, Captains of the Militia of Davidson County.

"John Gordon, William Hankins, George McClean and John Mayes, Lieutenants of the same County. Perkins Hardiman and Ephraim McClean, Ensigns. Andrew Jackson, Judge Advocate for the Davidson Regiment. David Smith, Lieutenant of the Cavalry of Mero District and _____ Christmas, Cornet.

October 27th, 1792.

"Isaac Roberts, Lieutenant Colonel Commandant of Davidson County, in the place of Elijah Robertson, resigned. Howell Tatom Lieutenant Colonel of the same County, in the place of Isaac Roberts, promoted.

November 19th, 1792.

"Matthias Waggoner and Reuben Thornton, Justices of the Peace for Washington County. Joseph Rogers, Joseph McMin and Mark Mitchell, Justices of the Peace for Hawkins County. Adam Peck, Stray Master for Jefferson County.

"By William Blount, Governor in and over the Territory of the United States of America south of the River Ohio, and David Campbell and Joseph Anderson, two of the Judges of the said Territory.

"An Act authorizing the Courts of the several Counties in this Territory to levy a Tax for repairing or building Courthouses, Prisons and Stocks in the said Counties respectively, to pay Jurors to the Superior Courts and to defray the contingent charges of the said Counties.

"Whereas doubts have arisen, whether the several Courts of Pleas and Quarter Sessions in this Territory, have, by the laws of North Carolina, authority to levy taxes for the aforesaid purposes; and whereas it is necessary that those doubts shall no longer exist;

"Be it enacted that the first Court which shall be held in each and every year, in each county, next after the first day of January, be authorized to levy a tax on the land and polls within the said Counties respectively, for the purpose of repairing or building Court Houses, Prisons, and Stocks; paying the jurors to the Superior Courts, their traveling expenses and attendance, and defraying the contingent charges of the respective Counties: Provided the authority hereby given shall not extend to levying a tax, in any one year, on each poll of more than fifty cents, nor on each hundred acres of land, of more than seventeen cents.

"And be it enacted, that the tax so levied by the Courts of the respective Counties, shall be collected and accounted for by the proper officers, in the same manner, and under the same penalties, as is required by the laws of North Carolina for the collection of taxes for similar purposes.

"Passed in the Territory aforesaid, this 20th November, 1792.

"Signed William Blount,

"David Campbell,

"Joseph Anderson,

December 5th, 1792.

"John Blair, Lieutenant Colonel of Washington County, vice Lieutenant Colonel Love, removed out of the Territory. Leroy Taylor, First Major of the same County, vice Major Blair, promoted.

"Alexander Greer, Second Major of Washington County, vice Leroy Taylor, promoted.

January 4th, 1793.

"George Gordon, Ensign of the Jefferson Regiment.

January 14th, 1793.

"Nathaniel Evans, Captain of Cavalry for Knox County, John McClelland, Lieutenant and John Kellams, Cornet, of the same.

"Joseph Greer, Justice of the Peace for Knox County.

January 23rd, 1793.

"John McAllister, Justice of the Peace for Washington County.

"William Donaldson, Justice of the Peace for Jefferson County.

February 16th, 1793.

"By William Blount, Governor, ect.

"An Ordinance altering and directing the time of holding the Superior Courts for the District of Washington and the Courts of Pleas and Quarter Sessions in the several Counties in the said District.

"Be it ordained, that from and after the first day of April next, the terms of the Superior Courts for the District of Washington shall commence on the third Mondays in March and September, in each and every year.

"And be it ordained, that from and after the said first day of April, the Courts of Pleas and Quarter Sessions, in the respective Counties of the said District, shall commence, in and for Knox County, on the first Mondays in February, May, August and November. In and for the County of Jefferson, on the second Mondays in the same months. In and for the County of Greene, on the third Mondays in the same months. In and for the County of Washington, on the fourth Mondays in the same months. In and for the County of Sullivan, on the first Mondays in March, June, September and December. And in and for the County of Hawkins, on the second Mondays in the same months, in each and every year.

"And be it ordained, That all actions, suits, writs, plaints, recognizances, indictments and presentments whatsoever, shall be continued over to, and proceeded upon by the respective Courts, to be held at the times as directed by this ordinance, in the same manner as if no alteration of time had taken place, any law, usage or custom to the contrary, notwithstanding.

"Done at Knoxville, in the Territory aforesaid, this sixteenth day of February, one thousand seven hundred and ninety three:

"By the Governor.

"Daniel Smith. (Signed) WM. BLOUNT.

"Reported March 1st, 1793, to Mr. Secretary Jefferson.

"By William Blount, Governor in and over the Territory of the United States of America, south of the River Ohio, David Campbell and Joseph Anderson, two of the Judges in and for the Territory aforesaid.

"An Act requiring persons holding monies arising from fines and forfeitures imposed for the punishment of public offenders, taxes on proceedings in Law and Equity, on the probate of deeds, on the registering of grants for land, and the issuing of marriage and ordinary licenses as directed by the laws of North Carolina, to account for and pay the same.

"Be it enacted, That all persons holding monies arising from fines and forfeitures imposed for the punishment of public offenders, taxes on proceedings in Law and Equity, on the probate of deeds, on the registering of grants for land, and the issuing marriage and ordinary licenses, be required to render an accurate and correct account thereof, and pay the same into the hands of Daniel Smith, Esquire, Secretary of the Territory, on or before the first day of June, in each and every year, subject to the future appropriation of Government; and in case of failure, the said Daniel Smith, Esquire, is authorized to sue for and recover the same in the name of the Governor for the time being, for the use of the Government.

"And be it enacted, That the Clerk of each and every Court of Law and Equity, in the Territory, and the Register of each and every County, at the first Court which shall be held after the first day of April next, or in case of any unavoidable hindrance, the next Court afterwards, shall give bond, with approved security, to the Governor for the time being, in the sum of five hundred dollars, conditioned for the due collection and payment of the monies arising from fines and forfeitures, and taxes as aforesaid, which bond shall be transmitted by the Clerks of the Courts to the office of the Secretary of the Territory, for the time being within three months from the time of entering into the same, and on failure thereof, shall be deemed guilty of misdemeanor in office.

"And be it further enacted, That the said Daniel Smith, Esquire, shall give bond to the Governor for the time being, for the use of the Governor, with good and sufficient security in the sum of two thousand dollars for the faithful discharge of the duties required by this Act.

"Passed at Knoxville, in the Territory aforesaid, this thirteenth day of March, one thousand seven hundred and ninety three.

"(Signed) Wm. Blount,

"David Campbell,

"Joseph Anderson.

"Journal &c. Continued from the report of March 1st, 1793.

March 13th, 1793.

"By William Blount, Governor in and over the Territory of the United States of America, south of the River Ohio.

"An Ordinance forming the Counties of Jefferson and Knox into a judicial District.

"Be it ordained, That the Counties of Jefferson and Knox shall constitute a judicial District to be distinguished and known by the name of the District of Hamilton, in which shall be held at Knoxville, two Superior Courts of Law and Equity, in each and every year, to commence on the second Mondays in April and October, and may be continued ten judicial days each term, provided the first Court shall be held on the second Monday in October next.

"And be it ordained, That the Counties of Jefferson and Knox shall each, at the Court next preceding the term of the Superior Courts for the said District of Hamilton, appoint eighteen jurors to the said Courts.

"And be it ordained, That all bills, suits, pleas and indictments, and recognizances that shall remain undetermined on the dockets of the District of Washington, after the succeeding term of that District, where both plaintiffs and defendants live in the District of Hamilton, shall be transferred to the dockets of the said District of Hamilton, and be proceeded upon in the same manner as if originally brought in the Courts of the said District. And that the Clerks of the Courts of Law and Courts of Equity for the District of Washington make a full and perfect transcript of all bills, suits, pleas, indictments and recognizances, where the parties live in the District of Hamilton, and send the same properly attested, to the Clerks of the said District, together with all the papers relative thereto, on or before the fourteenth day of October, next, under the penalty of a misdemeanor in office.

"Provided nothing herein contained shall be so construed as to effect or alter the military arrangements of the late District of Washington.

"Done at Knoxville, in the Territory aforesaid, this thirteenth day of March, one thousand, seven hundred and ninety three.

WM. BLOUNT.

"By the Governor.

"DANL. SMITH.

March 16th, 1793.

"John Young, Captain of the Sumner Regiment of Militia.

March 21st, 1793.

"By William Blount, Governor in and over the Territory of the United States of America, south of the River Ohio.

"An Ordinance to amend the 'Ordinance for circumscribing the Counties of Greene and Hawkins and laying out two new Counties.'

"Be it ordained that the Courts of Pleas and Quarter Sessions for the County of Jefferson shall, in the future, be held on the north side of French Broad on the lands of Francis Deane, near the Reverend Mr. Henderson's lower meeting house, at such particular spot as the Commissioners of the said County of Jefferson shall agree on.

"Done at Knoxville, in the Territory aforesaid, this twenty-first day of March, 1793.

By the Governor.

"DANL. SMITH.

WM. BLOUNT.

April 17th, 1793.

"Licensed John Lowry to practice as an Attorney in the several Courts of Pleas and Quarter Sessions in the Territory.

April 26th, 1793.

"Solomon Harrison and William Hankins, Lieutenants of the Knox Regiment.

"Jeremiah Rogers, John Bunch, Robert Patterson, Daniel McDaniel and John Reagin, Ensigns of the same Regiment.

April 26th, 1793.

James Hubbard, Lieutenant, and John McMahan, Ensign of Militia Mounted Infantry about to march under the command of Major Hugh Beard to the relief of Cumberland against the invasion of the Creeks.

May 2nd, 1793.

"John McFarland, Captain in the Regiment of Jefferson Militia, vice Alexander Ward, deceased.

William Shields, Captain in the same Regiment, vice, Nicholas Perkins, removed.

Robert King and Thomas Flippen, Captains in the same Regiment.

Deans Walker, John Hurst, Robert Field and William Richardson, Lieutenants, and William Campbell, James McFarland, Benjamin Longacre and James Ferguson, Ensigns of the same Regiment.

Andrew Cowen and Thomas Snoddy, Justices of the Peace for Jefferson County.

May 6th, 1793.

"Robert Houston, Sheriff of Knox County, and Robert Armstrong, Jr., his deputy, until the end of May term, 1794, and no longer.

Robert McFarland, Sheriff of Jefferson County, and Charles Hodge, his deputy, until the end of May term, 1794, and no longer.

James Richardson, Sheriff of Greene, and William Conway, his Deputy.

George Gillaspie, Sheriff of Washington, and Allen Gillaspie, his Deputy.

"Enclosed twenty blanks Constable Commissions to each of the Clerks of the Courts of Knox, Jefferson and Greence, 14 to Sullivan and 16 to Hawkins, with a request to the different Clerks to transmit information to this office with whose names their Courts shall direct them to be filled.

May 7th, 1793.

"By William Blount, Governor in and over the Territory of the United States of America south of the River Ohio.

"An Ordinance further to amend, 'An Ordinance circumscribing the Counties of Greene and Hawkins, and laying out two new Counties.'

"Be it ordained that a line beginning at the end of Bay's Mountain on Nolachucky River, thence up the meanders of said river to a black walnut tree on the south side of the said river, a small distance below the house of Captain William White, thence south twenty degrees east to French Broad River, thence south to the ridge that divides the waters of French Broad and Big Pigeon, shall be a part of the line which divides the Counties of Jefferson and Greene, anything contained in the said Ordinance to the contrary notwithstanding.

"Done at Knoxville, this seventh day of May, one thousand seven hundred and ninety three.

WM. BLOUNT.

"By the Governor,

"DANL. SMITH.

May 9th, 1793.

"Abraham McCoy, a Justice of the Peace for Jefferson County, Joseph Conway, Hugh Nelson and Joseph Lusk, Justices of the Peace for Greene County.

May 11th, 1793.

"James Gains and William Rhea, Justices of the Peace for Sullivan County.

"Thomas Berry, Sheriff of Hawkins County, to the end of June term, 1794, and a blank for his deputy.

May 30th, 1793.

"Thomas Jackson, a Justice of the Peace for Hawkins County.

June 5th, 1793.

"William Blount, Governor in and over the Territory of the United States of America south of the River Ohio.

"To David Campbell, John McNairy and Joseph Anderson, Esquires, Judges in and for said Territory, Greetings:

"I do authorize and empower you, or either, or any two of you, to hold a Court of Oyer and Terminer, and General Gaol delivery

at Jonesborough, to commence on the first Monday in July next, and to continue the same by adjournment from day to day not exceeding ten days, for the trial of persons charged with crimes or misdemeanors of what nature or kind so ever, and to hear, try and determine all crimes and misdemeanors of what nature or kind so ever, wherewith any person may stand charged, and to give judgment and award execution thereon.

"Given under my hand and seal, at Knoxville, this fifth day of June, 1793.

"By the Governor.
"DANL. SMITH.

WM. BLOUNT.

June 6th, 1793.

"Appointed and commissioned Elias Fort, William Fort, Charles Miles and William Miles, Justices of the Peace for Tennessee County.

John Carter, a Justice of the Peace, for Washington County.

Abraham Gormley and James Houston, Justices of the Peace, for Knox County.

John Stone, Lieutenant of the Militia of the Knox Regiment.

Phelps Read, a Justice of the Peace, for Hawkins County.

William Cage, Sheriff of Sumner, Samson Williams, Sheriff of Davidson, and Henry Johnson, Sheriff of Tennessee, to the July term, 1794, and to the end thereof, and no longer.

"By Secretary Smith.

June 15th, 1793.

"James Stinson, Register of Greene County during the good behavior.

"John Stone, Captain of the Knox Regiment, Alexander Carmichael, Lieutenant, and John Somerville, Ensigns of the same Regiment, enclosed to Mr. Secretary Jefferson, September 1st, 1793.

"Journal of the proceedings of William Blount, Governor in and over the Territory of the United States of America, south of the River Ohio, in his executive department. (Continued from the Report of September 1st, 1793.)

September 20th, 1793.

"The Governor appointed and commissioned James Cunningham Lieutenant of a troop of Cavalry of Knox County.

September 23rd, 1793.

"John McDowell, Surgeon's Mate of the troops in service for the defence of the frontiers.

September 24th, 1793.

"Thomas Berry, Lieutenant Colonel of Hawkins County, vice John Blair, deceased.

"Joseph McMinn, first Major, vice Thomas Berry, promoted, Pleasant Duke, a captain, William McCarty, James Williams, Williams Henderson and John Nichols, Lieutenants, and John Wood, James Armstrong, John Sims and Ballard Caldwell, Ensigns of the Regiment of Militia of Hawkins County.

October 11th, 1793.

"George Roulstone, Commissioner of Affidavits in Knox County.

October 19th, 1793.

"By William Blount, Governor in and over the Territory of the United States of America south of the River Ohio.

"An Ordinance, giving authority for the election of Representatives, to represent the people in General Assembly.

"Proof having been made to me that there are five thousand and upwards of free male inhabitants of full age in the said Territory, I do give authority for the election of Representatives to represent the people in General Assembly; and do ordain that an election shall be held by ballot, for thirteen Representatives to represent the people for two years in General Assembly, on the third Friday and Saturday in December next, qualified as provided and required by the Ordinance of Congress of July 13th, 1787, for the government of the Territory north of the Ohio, and by free male inhabitants of full age, qualified as electors; as also provided and required by the said Ordinance, of whom the electors of the Counties of Washington, Hawkins, Jefferson and Knox shall elect two for each of the said Counties; and the electors of the Counties of Sullivan, Greene, Tennessee, Davidson and Sumner shall elect one for each of those Counties.

"And be it ordained, That the said election for the Representatives to represent the people in General Assembly shall be held at the Court Houses in each County, by the Sheriff thereof; and in case of absence or inability, his Deputy, or the Coroner thereof, with the advice and assistance of Inspectors of the poll in the manner and form as prescribed and directed by the laws of North Carolina respecting the holding of elections in that State. And the said Sheriff or other officer holding the said election is directed and required to report to the Secretary's Office at Knoxville, as early as may be, the name or names of persons duly elected to represent the respective counties. Done at Knoxville, in the Territory aforesaid, this 19th day of October, 1793.

"WM. BLOUNT.

"For the better information of the people respecting the qualification of Representatives and electors, the following extract from the Ordinance of Congress of the 13th of July, 1787, is subjoined.

"No person to be eligible or qualified to act as a Representative unless he shall have been a citizen of one of the United States three years, and be a resident in the District, or unless he shall have

resided in the District three years; and in either case shall hold in his own right, in fee simple, two hundred acres of land within the same. Provided that a freehold of fifty acres of land in the District, having been a citizen of one of the States, and being a resident in the District, or the like freehold, and two years residence in the District, shall be necessary to qualify a man as an elector of a Representative.

October 25th.

"David Brigham, Cornet of the Sullivan Cavalry.

November 9th.

"John Yancey, a Justice of the Peace for Sullivan County, and Samuel Wilson, John Jones, Adonijah Morgan, Thomas Temple, William Ragan and John Maurie, Justices of the Peace for Greene County.

November 21st.

"Nathaniel Taylor, a Justice of the Peace for Washington County.

"By William Blount, Governor in and over the Territory of the United States of America, south of the River Ohio.

A Proclamation.

"Whereas by 'an Ordinance for the Government of the Territory of the United States, northwest of the River Ohio' passed July 13th, 1787, authority is given to the Governor 'to appoint the time and place as soon as Representatives shall be elected to meet together', And whereas by an Act of the Legislature of North Carolina instituted, 'An Act for the purpose of ceding to the United States of America certain western lands therein described, it is made a condition that Congress upon the acceptance of the cession of the said lands, shall execute the government in and over the same, in a manner similar to that which they support northwest of the Ohio.' And whereas Congress did accept the lands by the said Act ceded, on the condition aforesaid, and denominated the same, 'The Territory of the United States of America south of the River Ohio.'

"Now I, the said William Blount, Governor in and over the said Territory of the United States of America south of the River Ohio, by virtue of the authority in me vested, do appoint the fourth Monday in February next, the time, Knoxville, the place, for the persons duly elected to represent the several Counties in the said Territory south of the River Ohio, to meet together.

"Given under my hand and seal at Knoxville, January 1st, 1794.

"WM. BLOUNT.

January 6th, 1794.

"William Gallaher, Cornet of Washington Cavalry.

January 18th, 1794.

"Jesse Green, Lieutenant in the Knox Regiment.
"Samuel Gibson, Adjutant of Knox County.

January 20th, 1794.

"Willie Blount, Notary Public in the Territory of the United States of Ohio.

January 26th.

"James Montgomery, Justice of the Peace in Washington County.

February 7th, 1794.

"Licensed David Greer as an Attorney in the several Courts of Law and Equity in this Territory.

February 27th, 1794.

"Licensed Samuel Mitchel as an Attorney in the several Courts of Pleas and Quarter Sessions in the Territory.

February 28th, 1794.

"Edward Mitchel, Captain, James Latham, Lieutenant, and Henry Dier, Ensign, of the Hawkins Regiment of Militia.

"Justices of the Peace for Hawkins County, Benjamin Caldwell, William Armstrong, Nathaniel Henderson, George Maxwell, John Estis and James McCarthy.

Justices of the Peace for Washington County, Robert Allison, John Crouch, John Kinchelow, Joseph Young, William McNab, Charles McCray, William Moorland, Nathaniel Hall, and William Purstey; James Mahan, a Justice of the Peace for Greene County, John Spurgin, John Williams and Samuel McCorkle, Justices of the Peace for the County of Sullivan.

March 1st, 1794.

"Hopkins Lacey, Attorney for the Territory in the District of Washington, in the place of William Cocke, resigned.

"Territory of the United States of America southwest of the River Ohio.

February 26th, 1794.

"The House of Representatives met agreeable to the Proclamation of the Governor, proceeded to the nomination of ten persons as Counsellors, when the following gentlemen were nominated:

"James Winchester, John Sevier, Sr., William Fort, Adam Meek, Stockley Donelson, John Adair, Richard Gammon, Griffith Rutherford, David Russell and Pernemas Taylor.

(Signed) DAVID WILSON, S. H. R.

"By order

HOPKINS LACY, C. H. R.

"On receiving the foregoing Act of the House of Representatives, the Governor annexed to it the following certificate:

"Territory of the United States of America, south of the River Ohio.

"I, William Blount, Governor in and over the said Territory do certify that under the authority by me given in my ordinance of the 19th day of October, 1793, the following named persons were reported by the Sheriffs of the respective Counties to the office of the Secretary of the Territory as duly elected to represent the several Counties of the said Territory in General Assembly, namely, Leroy Taylor and John Tipton for the County of Washington, George Rutledge, the County of Sullivan; Joseph Hardin, the County of Greene; William Cocke and Joseph McMinn, the County of Hawkins; Alexander Kelly and John Beard, the County of Knox; Samuel Wear and George Doharty, the County of Jefferson; James White, the County of Davidson; David Wilson, the County of Sumner; and James Ford, the County of Tennessee. And that pursuant to my proclamation of the first day of January, 1794, they met together at Knoxville, on the fourth Monday of February (the 24th day), 1794, and chose David Wilson Speaker and Hopkins Lacy, Clerk, and that on the 26th day of that month the annexed instrument of writing was presented to me by two of the members, William Cocke and James White, as the Act of the said Representatives.

"Given under my hand and seal at Knoxville, March 1st, 1794.

"WM. BLOUNT.

"William Blount, Governor in and over the Territory of the United States of America south of the Ohio.

"To the House of Representatives,

"Mr. Speaker and Gentlemen:

"The objects for which you have met together being completed, I prorogue you until the fourth Monday of August next, then to meet at this place.

"Given under my hand at Knoxville, this the first day of March, 1794.

"By the Governor.

DANL. SMITH.

"WM. BLOUNT.

"Knoxville, Tennessee,
March 1st, 1794.

"Sir:

"I have the honor to inclose to you a journal of Governor Blount's proceedings in his executive department up to this day, and also his ordinance for the election of Representatives to represent the People in General Assembly, his proclamation for convening the Representatives, an Act of the House of Representatives nominating ten Counsellors, and his message to prorogue the House.

Believing that you mean to lay the four last mentioned papers before Congress, they are transmitted on separate sheets.

"I have the honor, etc.,

"DANL. SMITH.

"EDMUND RANDOLPH, Esquire,

Secretary of State.

"Journal of the Proceedings of William Blount, Governor in and over the Territory of the United States of America south of the River Ohio, in his executive department.

"Continued from the report of 1st March, 1794.

March 8th, 1794.

"The Governor appointed and commissioned Haden Wells and Robert Edmiston, Justices of the Peace for Tennessee County.

March 19th, 1794.

"John Collier, Justice of the Peace for Greene County.

March 29th, 1794.

"Charles Hodges, Captain, Edmund Hodges, Lieutenant, and a blank commission for Ensign of the Regiment of Jefferson County.

April 11th, 1794.

"John Bunch, Captain, vice Thomas Cox, left the company, and Martin Ashburn, Ensign in the Knox Regiment.

April 15th, 1794.

"Robert Boyd, Lieutenant, and Samuel Bogle, Ensign, of Captain Black's company, in the Knox Regiment.

April 16th, 1794.

"George Gillaspie, Sheriff of Washington County to the end of May term, 1795.

"Allen Gillaspie, Deputy Sheriff of Washington County to the end of May term, 1795, and a blank for a second deputy.

"James Richardson, Sheriff of Greene County to the end of May term, 1795, and a blank for his deputy.

"Thomas Berry, Sheriff of Hawkins County to the end of June term, 1795, and two blanks for his deputies.

"Robert McFarland, Sheriff of Jefferson County, John Wilson and John King Fitzgerald, Deputy Sheriffs, to the end of May term, 1795.

"John Scott, Sheriff of Sullivan County to the end of March term, 1795, and two blanks for deputies. This appointment was March 1st, 1794.

"Robert Houston, Sheriff of Knox County and a blank for his deputy to the end of May term, 1795.

April 18th, 1794.

"James Ore, Second Major of Hawkins County, vice Joseph McMinn, promoted.

April 19th, 1794.

"Willie Blount, licensed to practice as an Attorney in the County Courts of Pleas and Quarter Sessions.

April 20th.

"James Lea, Commissioner of Affidavits for the County of Jefferson.

May 22d, 1794.

"William Cole Claiborne, licensed to practise as an Attorney in the several courts of Law and courts of equity in the Territory.

May 27th, 1794.

"Samuel Frazier, a Justice of the Peace for Greene County.

June 5th, 1794.

"James Moore, a Justice of the Peace for Knox County.

June 13th, 1794.

"Frederick Davis, Thomas Smith, Seth Lewis and Samson Williams, Justices of the Peace for the County of Davidson.

July 9th, 1794.

"William Cage, Sheriff of Sumner County, to the end of July term, 1795.

July 15th, 1794.

"Nicholas Perkins Hardiman, Sheriff of Davidson County to the end of July term, 1795.

"Joseph Nevill, Sheriff of Tennessee County to the end of July term, 1795.

"William Blount, Governor in and over the territory of the United States of America, south of the river Ohio—

"To David Campbell, John McNairy and Joseph Anderson, Esquires, Judges in and for the said Territory.

"Greeting:

"I do authorize you, any two, or either of you, to hold a Court of Oyer and Terminer and General Gaol delivery at Knoxville, to commence on the first day of August, next, and to continue the same by adjournment from day to day, not exceeding three days, for trials of a Creek Indian, apprehended on suspicion of being guilty of the murder of John Ish, a citizen of the United States, resident in this territory, to hear and try and determine, to give judgment and award execution thereon.

"Given under my hand and seal at Knoxville this 29th day of July, 1794.

"(Signed) WM. BLOUNT.

Augt. 4th, 1794.

"John Cocke, licensed to practise as an Attorney in the several County Courts of Pleas and Quarter Sessions. David Caldwell, a Justice of the Peace for Knox County. Barclay McGhee, Matthew Wallace, and John Loury, licensed to trade with the Cherokee Indians.

Augt. 19th, 1794.

"William Blount, Governor in and over the Territory of the United States of America, south of the river Ohio, and Superintendent of Indian Affairs for the Southern District.

"I do license Robert Wilson to trade with the Cherokee Indians on the north bank of the Tennessee, at or near the Tellico Block House, under the rules and restrictions as prescribed by the Laws of the United States.

"Given under my hand and seal at Knoxville, this 19th day of August, 1794.

"(Signed) WM. BLOUNT.

August 25th, 1794.

"Griffith Rutherford, John Sevier, Senior, James Winchester, Stockley Donelson and Perkins Taylor came before the Governor, produced their commissions as Legislative Counsellors, under the hand of the President of the United States, took the oath prescribed by law to support the constitution of the United States, and each also took the oath of office, namely: 'I

do solemnly swear that I will execute the office and duties of Legislative Counsellor to the best of my skill and abilities.'

"DANL SMITH.

September 1st, 1794.

"Inclosed in a letter to Mr. Secretary Randolph.

"Journal of the Proceedings of William Blount, Governor in and over the territory of the United States of America south of the river Ohio in his executive department.

(Continued from the report of September 1st, 1794.)

September 3d, 1794.

"The Governor appointed and commissioned John Carter Clerk and Master in Equity for the District of Washington.

"Richard Mitchell, Stray Master of Hawkins County.

"Andrew Henderson, Coroner of Jefferson County.

"Alexander Greer, Coroner of Washington County.

September 6th, 1794.

"John Sevier, Junior, Solicitor and County Attorney in and for the County of Washington.

September 7th, 1794.

"John Sevier, Junior, licensed to practice in the Superior Courts of Law and Courts of Equity.

September 12th.

"Richard Miles, Lieutenant Colonel of Tennessee County; Thomas Johnson, First Major of the same.

September 25th, 1794.

"John Blair and Jesse Payne, Justices of the Peace for Washington County.

September 27th, 1794.

"John Gordon, Alexander Nelson, and Absalom Loony, Justices of the Peace of Hawkins County.

"David Wilson, Register of Sumner County.

"Howell Tatum, Treasurer of Mero District, who gave bond according to law.

September 29th, 1794.

"William Reasons, Adjutant of Tennessee County.

September 30th, 1794.

"This day the Governor prorogued the General Assembly to the first Monday in October next, then to meet at Knoxville.

"Landon Carter, Treasurer of the Districts of Washington and Hamilton.

"Hugh Lewis, Register of Tennessee County.

"Walter Johnson and Robert Estee, Justices of the Peace for Sullivan County.

October 9th, 1794.

"Samuel Newell, Peter Bryan, Joseph Wilson, Joshua Gift, George Wilcoxon, Joseph Vance, Andrew Evans, Justices of the Peace for the County of Sevier.

"Samuel Wear, Clerk; Mordecai Lewis, Coroner; Alexander Montgomery, Stray Master, Jesse Bird, Register, and Thomas Buckingham, Junior, Sheriff of Sevier County, until the January term, 1796.

"Samuel Wear, Lieutenant Colonel Commandant; Samuel Newell, Lieutenant Colonel; Peter Bryant, First Major, and Samuel McGaughey, Second Major of the Regiment of Infantry, of Sevier County.

"John Mahan and Adam Wilson, Captains of the same regiment.

October 16th, 1794.

"John Lowry licensed to practice in the Superior Court.

October 18th, 1794.

"John Lowry appointed County Solicitor and County Attorney for the County of Sevier.

October 26th, 1794.

"William Donelson, Lieutenant Colonel of Davidson County, and John Shannon, Second Major of the same.

October 29th, 1794.

"Mordecai Lewis and Robert Pollock, Justices of the Peace for the County of Sevier.

October 30th, 1794.

"John Shields, Attorney and County Solicitor for Greene County (vice Archibald Roan, resigned.)

October 31st, 1794.

"Barclay McGhee and John Lowry licensed to trade with Southern Indians for horses at Tellico Block House, James King and David Craig, securities.

October 31st, 1794.

"Robert Wilson licensed to trade with Southern Indians at Tellico Blcok House, James Ore and John Sommerville, securities.

"David Craig and James Greenaway licensed to trade with the Southern Indians for horses at Tellico Block House.

November 17th, 1794.

"Samuel Donelson licensed to practise as an attorney at law in the several Courts of Pleas and Quarter Sessions.

November 25th, 1794.

"Stephen Byrnes, Captain in the Regiment of Infantry of Davidson County.

December 10th, 1794.

"Bennet Searcy licensed to practise as an attorney at law in the several Courts of Law and Courts of Equity.

December 26th, 1794.

"Isaac Walton a Lieutenant and James Whitsitt as Ensign in the Regiment of Infantry of Sumner County.

January 1st, 1795.

"William Hall and Edward Hogan, Ensigns in the Sumner County Regiment of Infantry.

January 16th, 1795.

"Edward Douglass, Lieutenant Colonel of the Sumner County Infantry.

"George Dawson Blackmore, Second Major of the Cavalry of Mero District.

January 17th, 1795.

"Reuben Douglass, Captain, and Wilson Cage, Lieutenant, of the Cavalry of the Mero District.

"James Frazier, First Major, and Joseph McElurath, Second Major of the Sumner County Regiment of Infantry.

"William Snoddy and Smith Hansborough, Captains of the same.

"William Hankins and John Williams, Lieutenants, and
Latimer, Ensign of the same.

January 27th, 1795.

"John McCellan, Captain and James Cunningham, First Lieutenant in the Hamilton Regiment of Cavalry.

January 28th, 1795.

"John McKee licensed to practise as an attorney in the Courts of Pleas and Quarter Sessions.

January 31st, 1795.

"John Scott, Lieutenant Commandant, Matthew Rhea, Lieutenant Colonel; George Rutledge, First Major, and William Childers, Second Major of the Sullivan Regiment of Infantry.

"George Rutledge, a Justice of the Peace for the County of Sullivan.

February 2d, 1795.

"George Gillaspie, the Sheriff of Washington County, collector of the county and public taxes for that county in the year 1795.

"Robert McFarlin, Sheriff of Jefferson, collector of the same in Jefferson County for the year 1795.

"Thomas Berry, Sheriff of Hawkins, collector of the same in Hawkins County for the year 1795.

"Robert Houston, Sheriff of Knox County, collector of the same in Knox County for the year 1795.

John Scott, Sheriff of Sullivan County, collector of the same in Sullivan County for the year 1795.

"William Conway, Sheriff of Greene County, collector of the same in Greene County for the year 1795.

"Thomas Buckingham, Sheriff of Sevier County, collector of the same in the County of Sevier for the year 1795.

"Nicholas Perkins Hardiman, Sheriff of Davidson County, collector of the same in Davidson County for the year 1795.

"William Cage, Sheriff of Sumner County, collector of the same in Sumner County, for the year 1795.

"Joseph Neville, Sheriff of Tennessee County, collector of the same in the County of Tennessee for the year 1795.

February 3d, 1795.

"Robert Boyd, a Captain, Samuel Bogle, Lieutenant and Henry Ragan, an Ensign of the Knox Regiment of the Infantry.

Feby. 6th, 1795.

"James Wilson, a Justice of the Peace for Jefferson County.

February 7th, 1795.

"Daniel Green, Justice of the Peace for Hawkins County.

"Samuel McClellan, Second Lieutenant, and Charles McClung, Cornet in the Regiment of Cavalry of Hamilton District. Other Officers of the said Regiment as follows:

Parmenas Taylor, Lieutenant Colonel Commandant.

Nathaniel Evans, First Major.

James Hubbard, Second Major.

Abraham Bird, Captain of the Jefferson Troops.

_____, First Lieutenant of the Jefferson Troops.

_____, Second Lieutenant of the Jefferson Troops.

_____, Cornet Jefferson Troops.

"Joseph Evans, Captain of the Cavalry in the Hamilton Regiment; William Henderson, First Lieutenant; William Massingale, Second Lieutenant and Robert Henderson, Cornet. } Sevier County Troop.

"William Blount, Governor in and over the Territory of the United States of America, south of the river Ohio.

"To Nicholas Perkins Hardiman, High Sheriff of the County of Davidson, in the Territory of the United States of America, south of the river Ohio, and all others whom it may concern:

"Whereas, I have received certain information, that in the last term of the Superior Court of Law, continued and held on the second Monday of November last past at Nashville, in and for the District of Mero, before John McNairy, Esquire, one of the Judges in and for the said territory, on trial of an issue of traverse, the Government against Samuel Grayson, on an indictment for simple larceny on the statute against hog stealing, the said Samuel Grayson was found guilty and by the said Court was sentenced to receive forty lashes on his bare back.

"And having certain information also given to me by the said John McNairy, Esquire, that the said Samuel Grayson is a youth of tender age, and that the jury who passed on his trial on rendering their verdict did request that mercy be extended to the said Samuel Grayson. Be it known that I do by virtue of the power

and authority in me vested grant my free pardon to the said Samuel Grayson for the simple larcency for which he has been indicted on the statute before mentioned, found guilty and sentenced as aforesaid.

"I do therefore command that the said Samuel Grayson be forthwith released and discharged from all and every restraint and confinement whatsoever in consequence of the said sentence, without any condition whatsoever: and for so doing this shall be your warrant.

"Given under my hand and seal at Knoxville in the territory aforesaid, the 17th day of December in the year 1794.

"(Signed) WM. BLOUNT.

"Territory &c., Knoxville, March 1st, 1795.

"Sir,

"Together with the executive acts of the Governor Blount, I have the honor herewith to transmit you a copy of the acts of the legislature of this territory passed at their First Session.

"I am Sir &c.,

"DANL. SMITH.

"Edmund Randolph, Esquire, Secretary of State.

"Journal of the proceedings of William Blount, Governor in and over the territory of the United States of America, south of the river Ohio, in his executive department.

"(Continued from the report of 1st March, 1795.)

March 2d, 1795.

"The Governor appointed and commissioned Thomas Donald, a Justice of the Peace for the County of Sumner.

"By William Blount, Governor in and over the Territory of the United States of America, south of the river Ohio.

"A Proclamation.

"Whereas, the General Assembly stands prorogued to the first Monday in October, next, and whereas it appears to me that the public interest requires that a session of that body should commence at an earlier day: Therefore, I, the said William Blount, Governor &c., do appoint the last Monday in June, next, as the day on which the succeeding session of the General Assembly shall commence at this place—and do summon the members of the Legislative Council, and the Representatives of the people to convene at this place on that day for that purpose.

"Given under my hand and seal at Knoxville, this 25th day of April, 1795.

"(Signed) WM. BLOUNT.

"He also issued writs of election for counties of Davidson and Sumner to elect a member from each of those counties in the place of James White and David Wilson, resigned.

May 2d, 1795.

"The Governor appointed and commissioned George Conway, Sheriff and Collector of Taxes for Greene County to May, term, 1796, in the place of William Conway, resigned.

"Thomas Buckingham, Sheriff of Sevier County to April term, 1796.

"Thomas Berry, Sheriff of Hawkins County, to June term, 1796.

"Robert Houston, Sheriff of Knox County, to April term, 1796, and Henry Brazeale, his deputy.

"George Gillaspie, Sheriff of Washington County, to May term, 1796.

"John Wilson, Deputy Sheriff of Jefferson County, to May term, 1796.

"Isaac Shelby, Sheriff of Sullivan County, to March term, 1796.

July 6th, 1795.

"Reuben Cage, Sheriff of Sumner County, till the end of July term, 1796.

"William Hall, Cornet of the Sumner troop of Cavalry.

July 8th, 1795.

"Officers in the Jefferson County Infantry.

John Inman, a Captain.

Moses McCoy, George McFarland, James McQuestion, James Walker and James Moyars, Lieutenants.

Jesse Alexander, George Rogers, John Williams, Benjamin Longacre, Ensigns, and five blank Ensigns commissions.

July 9th, 1795.

"Thomas Murray, First Major of Davidson County.

July 11th, 1795.

"William Wilson, Justice of the Peace for Greene County.

"John Adams, William Nelson, and Benjamin Dilliard, Justices of the Peace for Washington County.

"John Gordon, John Deaderick and James Byrnes, Justices of the Peace for the County of Davidson.

"James King, Justice of the Peace for the County of Sullivan.

July 15th, 1795.

"Nicholas Gibbs, a Justice of the Peace for the County of Knox.

July 14th, 1795.

"William Miles, Second Major of the Infantry of Tennessee County.

"Nicholas Perkins Hardiman, Sheriff of Davidson County, till the end of July term, 1796. Oliver Williams, his deputy, and two blanks for Constables.

"Joseph Nevill, Sheriff of Tennessee County, till the end of July term, 1796. A blank for his deputy, and two blank commissions for Constables.

July 15th, 1795.

"William Renno and John Clack, Justices of the Peace for Sevier County.

August 1st, 1795.

"Samuel Doack, Justice of the Peace for Knox County.

"John Sims, Captain of the Militia of Hawkins County; James Chisholm, Lieutenant, and Daniel Kellum, Ensign of the same Regiment.

September 1st, 1795.

"The foregoing journal from March 1st was transmitted in a letter from Knoxville to Mr. Secretary Randolph, inclosing therewith three copies of the Acts passed at the Second Session of the General Assembly.

March 1st, 1796.

"Journal of the Proceedings of William Blount, Governor in and over the Territory of United States of America south of the river Ohio, in his Executive Department.

(Continued from the report of September 1st, 1795.)

"It is to be noted that the following appointments made on the 2d and 3d of August, did not come to my knowledge until the former report was made.

August 2d, 1795.

"Cavalry of Hamilton District.

"Samuel McClellan, First Lieutenant.

"Charles McClung, Second Lieutenant.

"Henry Roberts, Cornet.

August 3d, 1795.

"Appointments in Blount County.

"Alexander Kelly, Lieutenant Colonel Commandant.

"John McKee, Lieutenant Colonel.

"Samuel Glass, First Major.

"James Woods Lackey, Second Major.

"George Ewin, Captain; William Ragan, Lieutenant; John Ragan, John Singleton, Robert Rhea, John Cockran, James Scott, James Houston, George Tedford, Joseph Tedford, Joel Wallace, Samuel Houston, Robert Boyd, Samuel Bogle and Henry Ragan, Ensigns.

Cavalry Officers.

"James Cunningham, Captain; John Lowry, First Lieutenant; Matthew Wallace, Second Lieutenant; John Alexander, Cornet; Littlepage Sims, Sheriff; John McKee, Clerk; William Wallace, Register; Robert Rhea, Coroner.

Justices of the Peace.

"David Craig, William Wallace, George Ewin, James Greenaway, Matthew Wallace, John Trimble, Samuel Houston, James Scott, Andrew Bogle, Thomas McCulloch, William Lowry.

October 23d, 1795.

"Isaac McNutt, licensed to practise as an attorney at law, in the several County Courts.

Nathaniel Buckingham appointed a deputy sheriff in Sevier County until the end of January term in 1796, or, during the existence of the temporary government.

October 24th, 1795.

"John Cocke, Esquire, licensed to practise as an attorney at law in the Superior Courts of Law, and Courts of Equity.

"Isham Allen Parker, Esquire, licensed to practise as an attorney in the several County Courts of Pleas and Quarter Sessions.

October 27th, 1795.

"Willie Blount, Esquire, licensed to practise in the Superior Courts of Law and Courts of Equity.

November 14th, 1795.

"William Charles Cole Claiborne of the County of Sullivan appointed Brigade Major of the Brigade commanded by Brigadier General John Sevier.

November 26th, 1795.

"Robert Patterson, appointed a Lieutenant in the Knox Regiment.

"Robert Armstrong, an Ensign.

"John McClelland, appointed a Justice of the Peace for the County of Knox.

November 27th, 1795.

"James Stinson appointed Captain of Cavalry in the Regiment of Washington District.

"John Temple, First Lieutenant.

"William Conway, Second Lieutenant.

"Alexander McAlpin, Cornet.

November 25th, 1795.

"Jesse Wallace, appointed a Cornet in the Cavalry of the Regiment of the District of Hamilton.

December 5th, 1795.

"Samuel Donelson, Esquire, licensed to practise as an attorney in the Superior Courts of Law and Courts of Equity.

January 7th, 1796.

"Thomas Buckingham, Junior, appointed Sheriff of the County of Sevier, for one year from the date hereof during the existence of the temporary government of the Territory.

Nathaniel Buckingham of Sevier County, appointed Deputy Sheriff on the same day and for the same time as above.

Thomas Gray, Esquire, licensed to practise law in the several courts in the Territory.

January 25th, 1796.

"Benjamin McCarty appointed a Justice of the Peace for the County of Hawkins.

January 27th, 1796.

"Collectors of the county and public taxes for the year 1796:

"Isaac Shelby for Sullivan County.

"George Gillaspie for Washington County.

"George Conway for Greene.

"Robert McFarland for Jefferson.

"Thomas Buckingham, Junior, for Sevier.

"Littlepage Sims for Blount.

"Thomas Berry for Hawkins.

"Robert Houston for Knox.

"Reuben Cage for Sumner.

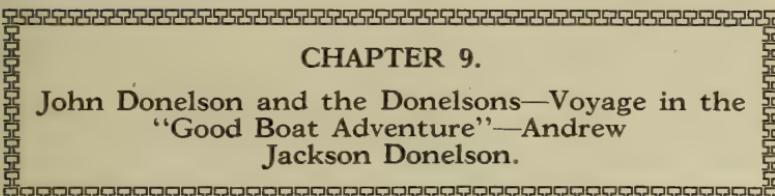
"Nicholas Perkins Hardeman for Davidson.

"Joseph B. Nevill for Tennessee.

February 6th, 1796.

"Robert Maclin appointed Justice of the Peace for Washington County.

"March 1st, 1796. Reported to Mr. Secretary Pickering.



CHAPTER 9.

John Donelson and the Donelsons—Voyage in the “Good Boat Adventure”—Andrew Jackson Donelson.

In early Tennessee history some of the actors stand out so clearly that the mind's eye can see them with the accuracy of a photograph; others are more indistinct, while at the same time performing great service for the cause of the civilization which was being planted in the State. Among those who are indistinct and almost shadowy, except in his journey by water to Nashville, is Colonel John Donelson. Leaving his water trip out of consideration, Colonel Donelson appears in the merest outlines, yet he was a great man and his record will stand the most critical examination; the closer we look at it the larger it develops. More than that, Colonel Donelson founded the Donelson family of Tennessee, which with its connections in several States, became and is now one of the most influential families in the South. But if he had lived the life of a drone, except in making his water journey to Nashville, he would be one of the heroes of history, and his name would be passed down the years along with others who are conceded to have done great things.

Colonel John Donelson was born in Pittsylvania County, Virginia, in 1720, and his father's name was also John Donelson, who immigrated to America in 1716, and settled in Delaware Bay, at a date that we have been unable to find. Both his father and grandfather appear to have been engaged in the shipping business. Colonel Donelson was an educated man, probably one of the best educated of his day, and achieved prominence in Virginia before he concluded to make his home West of the mountains. He was a surveyor by profession, and was associated at one time and another with the leading men on the American side in the Revolutionary War. In Virginia, he personally knew George Washington, Thomas Jefferson, Patrick Henry, all of whom were his personal friends. In Tennessee, he was associated with John Sevier, James Robertson, Isaac Shelby, the two Bledsoes, Col. Richard Hender-

son, and other leaders of the trans-montane movement. He served in the House of Burgesses of Virginia, prior to the Declaration of Independence, in 1771-72-73-74 and in 1771 he was appointed Colonel of the Pittsylvania County militia. He was appointed surveyor of Pittsylvania County by the Colonial Government. He married Rachel Stockley of Maryland.

On June 26th, 1777, a meeting was held at Fort Patrick Henry, near Long Island, in the present Sullivan County, by the Commissioners appointed by Governor Henry, of Virginia, and a number of Cherokee Chiefs, to establish the line between the State of Virginia and Cherokee territory. Commissioners of North Carolina also were present, who were Waightstill Avery, William Sharp, Robert Lanier and Joseph Winston, and the result of the meeting was the confirmation of the line run by Colonel Donelson some time before.

Colonel Donelson's father married Katherine Davis, a sister of the first President of Princeton College. The Colonel had eleven children, some of whom were destined to high positions. The children were as follows:

Alexander, who never married; Elizabeth, who married Colonel Thomas Hutchins; Captain John Donelson, who married Mary Purnel, of Snow Hill, Virginia, and who as bride and groom, endured the hardships and deprivations incident to Colonel Donelson's voyage in Tennessee, in his "good boat Adventure"; Mary, who married Captain John Caffrey, and whose descendants are prominent in Louisiana and Mississippi; Jane, who married Colonel Robert Hayes, and they were the parents of Mrs. Robert I. Chester, of Jackson, Tennessee; William, who married Charity Dickinson, and had a number of children; Stockley, who married Elizabeth Glasgow; Samuel, who married Mary Smith, and they became the parents of Major Andrew J. Donelson and General Daniel S. Donelson; Severn, who married Elizabeth Rucker, and they became the parents of Andrew, the adopted son of General Jackson; Levin, who never married; Rachel, who married first Captain Lewis Robards and then General Jackson.

All of Colonel Donelson's children were born in Virginia, and he brought them all to the Watauga region when he came to Tennessee. Just how long he remained in Tennessee before he conceived the idea of his marvelous journey by water from Fort Patrick Henry to Nashville, we have been unable to ascertain, but we know from the journal he kept that he started on the journey De-

cember 22nd, 1779. This journey involved the distance from Fort Patrick Henry to Knoxville, which is 142 miles; thence by the Tennessee River to the Ohio 635 miles; thence by the Ohio to the mouth of the Cumberland 15 miles; and thence by the Cumberland to Nashville 193 miles, or, a total of 985 miles.

Considering the craft in which this water journey was taken, the ever present danger from Indians on both sides of all the rivers traversed, the danger from navigation, the escape from which seems miraculous, the drastic labor of poleing boats up stream on the Ohio for 15 miles and up the Cumberland for 193 miles, and the suffering from the extreme cold of the weather, which was one of the severest seasons known in Tennessee, this journey becomes one of the marvels of history.

One of the most precious documents in all the records of Tennessee, is Colonel Donelson's journal of that voyage which happily has been preserved and is in the Tennessee Historical Society at Nashville, and is here printed in full. The reader will observe the total lack of color in the narrative, which argues that Colonel Donelson did not look upon his undertaking as anything very remarkable, but there are a thousand things that come to mind we would like to know. Talk about romance, where is there a historical incident more filled with romance than this, and how we would like someone to have been on that journey who could have filled in the color in Colonel Donelson's narrative. We are curious to know all about the "Good Boat Adventure", how long and wide it was and the details of construction; how the voyagers spent their time as the current was bearing them forward to an unknowable destiny in the wilds of Middle Tennessee on the Cumberland River; what Captain John Donelson and bride, Mary Purnel, thought and said of that journey as a wedding trip; and all of the thousand and one incidents connected with a life of four months under the unprecedented conditions of that voyage. They arrived at the end of their journey on Monday, April 24th, 1780. Here is the way Colonel Donelson tells the story:

1779—VOYAGE OF THE DONELSON PARTY.

JOURNAL OF A VOYAGE, INTENDED BY GOD'S PERMISSION, IN
THE GOOD BOAT ADVENTURE, FROM FORT PATRICK HENRY,
ON HOLSTON RIVER, TO THE FRENCH SALT SPRINGS
ON CUMBERLAND RIVER, KEPT BY JOHN DONELSON.

"December 22, 1779.—Took our departure from the fort, and fell down the river to the mouth of Reedy Creek, where we were

stopped by the fall of water and most excessive hard frost; and after much delay, and many difficulties, we arrived at the mouth of Cloud's Creek on Sunday evening, the 20th of February, 1780, where we lay by until Sunday, the 27th, when we took our departure with sundry other vessels bound for the same voyage, and on the same day struck the Poor-valley shoal, together with Mr. Boyd and Mr. Rounsfifer, on which shoal we lay that afternoon and succeeding night in much distress.

"Monday, February 28th, 1780.—In the morning, the water rising, we got off the shoal, after landing thirty persons to lighten our boat. In attempting to land on an island, received some damage, and lost sundry articles, and came to camp on the south shore, where we joined sundry other vessels also bound down.

"Tuesday, 29th—Proceeded down the river and encamped on the north shore, the afternoon and following day proving rainy.

"Wednesday, March 1st.—Proceeded on, and encamped on the north shore, nothing happening that day remarkable.

"March 2nd.—Rain about half the day; passed the mouth of French Broad River, and about twelve o'clock Mr. Henry's boat, being driven on the point of an island by the force of the current, was sunk, the whole cargo much damaged, and the crew's lives much endangered, which occasioned the whole fleet to put on shore and go to their assistance, but with much difficulty baled her out and raised her, in order to take in her cargo again. The same afternoon, Reuben Harrison went out a hunting, and did not return that night, though many guns were fired to fetch him in.

"Friday, 3rd.—Early in the morning fired a four-pounder for the lost man, sent out sundry persons to search the woods for him, firing many guns that day and the succeeding night, but all without success, to the great grief of his parents and fellow-travelers.

"Saturday, 4th.—Proceeded on our voyage, leaving old Mr. Harrison, with some other vessels, to make further search for his lost son: about ten o'clock the same day found him a considerable distance down the river, where Mr. Ben Belew took him on board his boat. At three o'clock p. m., passed the mouth of Tennessee River, and camped on the south shore, about ten miles below the mouth of Tennessee.

"Sunday, 5th.—Cast off and got under way before sunrise; twelve o'clock, passed mouth of Clinch; at three o'clock, p. m., came up with the Clinch River company, whom we joined, and camped, the evening proving rainy.

"Monday 6th.—Got under way before sunrise: the morning proving very foggy, many of the fleet were much bogged: about ten o'clock lay up for them; when collected, proceeded down; camped on the north shore, where Captain Hutchin's negro man died, being much frosted in his feet and legs, of which he died.

"Tuesday, 7th.—Got under way very early; the day proving very windy, a S.S.W., and the river, being wide, occasioned a high sea, insomuch that some of the smaller crafts were in danger,

therefore came to at the uppermost Chickamauga town, which was then evacuated, where we lay by that afternoon and camped that night. The wife of Ephraim Peyton was here delivered of a child. Mr. Peyton has gone through by land with Captain Robertson.

"Wednesday, 8th.—Cast off at ten o'clock, and proceeded down to an Indian village, which was inhabited, on the south side of the river: they invited us to 'come ashore,' called us brothers and showed other signs of friendship, insomuch that Mr. John Caffrey and my son, then on board, took a canoe which I had in tow, and were crossing over to them, the rest of the fleet having landed on the oposite shore. After they had gone some distance, a half-breed, who called himself Archy Coody, with several other Indians, jumped into a canoe, met them, and advised them to return to the boat, which they did, together with Coody, and several canoes, which left the shore and followed directly after him. They appeared to be friendly. After distributing some presents among them, with which they seemed much pleased, we observed a number of Indians on the other side embarking in their canoes, armed and painted with red and black. Coody immediately made signs to his companions, ordering them to quit the boat which they did, himself and another Indian remaining with us, and telling us to move off instantly. We had not gone far before we discovered a number of Indians armed and painted, preceeding down the river, as it were to intercept us. Coody, the half-breed, and his companion sailed with us for some time, and telling us that we had passed all the towns and were out of danger, left us. But we had not gone far until we came in sight of another town, situated likewise on the south side of the river, nearly opposite a small island. Here they again invited us to come on shore, called us brothers, and observing the boats standing off for the opposite channels, told us that 'their side of the river was better for boats to pass.' And here we must regret the unfortunate death of young Mr. Payne, on board Captain Blackmore's boat, who was mortally wounded by reason of the boat running too near the northern shore, opposite the town where some of the enemy lay concealed; and the more tragical misfortune of poor Stuart, his family and friends, to the number of twenty-eight persons. This man had embarked with us for the Western country, but his family being diseased with the small-pox, it was agreed upon between him and the company that he should keep at some distance in the rear, for fear of the infection spreading; and he was warned each night when the encampment should take place by the sound of a horn. After we had passed the town, the Indians having now collected to a considerable number, observing his helpless situation, singled off from the rest of the fleet, intercepted him, killed and took prisoners the whole crew, to the great grief of the whole company, uncertain how soon they might share the same fate: their cries were distinctly heard by those boats in the rear. We still perceived them marching down the river in

considerable bodies, keeping pace with us until the Cumberland Mountain withdrew them from our sight, when we were in hopes we had escaped them. We are now arrived at the place called Whirl, or Suck, where the river is compressed within less than half its common width above, by the Cumberland Mountain, which juts in on both sides. In passing through the upper part of these narrows, at a place described by Coody, which he termed the "boiling pot" a trivial accident had nearly ruined the expedition. One of the company, John Cotton, who was moving down in a large canoe, had attached it to Robert Cartwright's boat, into which he and his family had gone for safety. The canoe was here overturned, and the little cargo lost. The company, pitying his distress, concluded to halt and assist him in recovering his property. They had landed on the northern shore, at a level spot, and were going up to the place, when the Indians to our astonishment appeared immediately over us on the opposite cliffs, and commenced firing down upon us, which occasioned a precipitate retreat to the boats. We immediately moved off. The Indians, lining the bluffs along, continued their fire from the heights on our boats below, without doing any other injury than wounding four slightly. Jenning's boat is missing.

"We have now passed through the Whirl. The river widens with a placid and gentle current, and all the company appear to be in safety, except the family of Jonathan Jennings, whose boat ran on a large rock projecting out from the northern shore, and partly immersed in water, immediately at the Whirl, where we were compelled to leave them, perhaps to be slaughtered by their merciless enemies. Continued to sail on that day, and floated throughout the following night.

"Thursday, 9th.—Proceeded on our journey, nothing happening worthy of attention today; floated until about midnight and encamped on the northern shore.

"Friday, 10th.—This morning about four o'clock we were surprised by the cries of 'Help poor Jennings' at some distance in the rear. He had discovered us by our fires, and came up in the most wretched condition. He states, that as soon as the Indians had discovered his situation, they turned their whole attention to him, and kept up a most galling fire on his boat. He ordered his wife, a son nearly grown, a young man who accompanied them, and his two negroes, to throw all his goods into the river, to lighten their boat for the purpose of getting her off; himself returning their fire as well as he could, being a good soldier and an excellent marksman. But before they had accomplished their object, his son, the young man, and the negro man jumped out of the boat and left them: he thinks the young man and the negro were wounded. Before they left the boat, Mrs. Jennings, however, and the negro woman succeeded in unloading the boat, but chiefly by the exertions of Mrs. Jennings, who got out of the boat and shoved her off; but was near falling a victim to her own in-

trepidity, on account of the boat starting so suddenly as soon as loosened from the rocks. Upon examination he appears to have made a wonderful escape, for his boat is pierced in numberless places with bullets. It is to be remarked that Mrs. Peyton, who was the night before delivered of an infant, which was unfortunately killed in the hurry and confusion consequent upon such a disaster, assisted them, being frequently exposed to wet and cold then and afterwards, and that her health appears to be good at this time, and I think and hope she will do well. Their clothes were very much cut with bullets, especially Mrs. Jennings!

"Saturday, 11th.—Got under way after having distributed the family of Mrs. Jennings in the other boats. Rowed on quietly that day and encamped for the night on the northern shore.

"Sunday, 12th.—Set out, and after a few hours' sailing we heard the crowing of cocks, and soon came within view of the town: here they fired on us again without doing any injury. After running until about ten o'clock came in sight of the Muscle Shoals. Halted on the northern shore at the upper end of the shoals, in order to search for the signs Captain James Robertson was to make for us at that place. He set out from Holston early in the fall of 1779, and was to proceed by the way of Kentucky to the Big Salt Lick on Cumberland river, with several others in company, was to come across from the Big Salt Lick to the upper end of the shoals, there to make such signs that we might know he had been there and that it was practicable for us to go across by land. But to our great mortification we can find none, from which we conclude that it would not be prudent to make the attempt; and are determined, knowing ourselves to be in such imminent danger, to pursue our journey down the river. After trimming our boats in the best manner possible, we ran through the shoals before night. When we approached them they had a dreadful appearance to those who had never seen them before. The water being high made a terrible roaring, which could be heard at some distance among the drift-wood heaped frightfully upon the points of the island, the current running in every possible direction. Here we did not know how soon we should be dashed to pieces, and all our troubles ended at once. Our boats frequently dragged on the bottom, and appeared constantly in danger of striking: they warped as much as in a rough sea. But, by the hand of Providence, we are now preserved from this danger also. I know not the length of this wonderful shoal: it had been represented to me to be twenty-five or thirty miles; if so, we must have descended very rapidly, as indeed we did, for we passed it in about three hours. Came to and camped on the northern shore, not far below the shoals, for the night.

"Monday, 13th.—Got under way early in the morning, and made a good run that day.

"Tuesday, 14th.—Set out early. On this day two boats approaching too near the shore, were fired on by the Indians; five of the crew were wounded, but not dangerously. Came to camp at

night near the mouth of a creek. After kindling fires and preparing for rest, the company were alarmed on account of the incessant barking our dogs kept up; taking it for granted the Indians were attempting to surprise us, we retreated precipitately to the boats, fell down the river about a mile and encamped on the other shore. In the morning, I prevailed on Mr. Caffrey and my son to cross below in a canoe and return to the place; which they did, and found an African negro we had left in the hurry, asleep by one of the fires. The voyagers then returned and collected their utensils, which had been left.

"Wednesday, 15th.—Got under way, and moved on peaceably on the five following days, when we arrived at the mouth of the Tennessee on Monday, the 20th, and landed on the lower point, immediately on the Bank of the Ohio. Our situation here is truly disagreeable. The river is very high, and the current rapid, our boats are not constructed for the purpose of stemming a rapid stream, our provision exhausted, the crews almost worn down with hunger and fatigue, and know not what distance we have to go, or what time it will take us to our place of destination. The scene is rendered still more melancholy, as several boats will not attempt to ascend the rapid current. Some intend to descend the Mississippi to Natchez; others are bound for the Illinois—among the rest my son-in-law and daughter. We now part, perhaps to meet no more, for I am determined to pursue my course, happen what will.

"Tuesday, 21st.—Set out, and on this day labored very hard, and got but a little way: camped on the south bank of the Ohio. Passed the two following days as the former, suffering much from hunger and fatigue.

"Friday, 24th.—About three o'clock came to the mouth of a river which I thought was the Cumberland. Some of the company declared it could not be, it was so much smaller than was expected. But I never heard of any river running in between the Cumberland and Tennessee. It appeared to flow with a gentle current. We determined, however, to make the trial, pushed up some distance, and encamped for the night.

"Saturday, 25th.—Today we are much encouraged; the river grows wider; the current is very gentle: we are now convinced it is the Cumberland. I have derived great assistance from a small square sail, which was fixed up on the day we left the mouth of the river; and to prevent any ill effects from sudden flaws of wind, a man was stationed at each of the lower corners of the sheet, with directions to give way whenever it was necessary.

"Sunday, 26th.—Got under way early; procured some buffalo meat; though poor, it was palatable.

"Monday, 27th.—Set out again; killed a swan, which was very delicious.

"Tuesday, 28th.—Set out very early this morning; killed some buffalo.

"Wednesday, 29th.—Proceeded up the river; gathered some herbs on the bottoms of Cumberland, which some of the company called 'Shawanee Salad.'

"Thursday, 30th.—Proceeded on our voyage. This day we killed some more buffalo.

"Friday, 31st.—Set out this day, and, after running some distance met with Colonel Richard Henderson, who was running the line between Virginia and North Carolina. At this meeting we were much rejoiced. He gave us every information we wished, and further informed us that he had purchased a quantity of corn in Kentucky, to be shipped at the Falls of Ohio, for the use of the Cumberland settlement. We are now without bread, and are compelled to hunt the buffalo to preserve life. Worn out with fatigue, our progress at present is slow. Camped at night near the mouth of a little river, at which place, and below, there is a handsome bottom of rich land. Here we found a pair of hand millstones, set up for grinding, but appeared not to have been used for a great length of time. Proceeded on quietly until the 12th of April, at which time we came to the mouth of a little river running on the north side, by Moses Renfroe and his company called 'Red River,' up which they intended to settle. Here they took leave of us. We proceeded up Cumberland, nothing happened material until the 23d, when we reached the first settlement on the north side of the river, one mile and a half below the Big Salt Lick, and called Eaton's Station, after a man of that name, who, with several other families, came through Kentucky and settled there.

"Monday, April 24th.—This day we arrived at our journey's end at the Big Salt Lick, where we have the pleasure of finding Capt. Robertson and his Company. It is a source of satisfaction to us to be enabled to restore to him and others their families and friends, who were entrusted to our care, and who, some time since, perhaps, despaired of ever meeting again. Though our prospects at present are dreary, we have found a few log cabins which have been built on a cedar bluff above the Lick by Capt. Robertson and his company."

The names of the persons who came in this company are given by Capt. Donelson as follows:

John Donelson, Sr.

Mrs. Henry (widow.)

Thomas Hutchings.

Frank Armstrong

John Caffrey.

Hugh Rogan.

John Donelson, Jr.

Daniel Chambers.

James Robertson's lady
and children.

Robert Cartwright.

Mrs. Purnell.

— Stuart.

M. Rounseifer.

David Gwinn.

James Cain.

John Boyd.

Isaac Neely.

Reuben Harrison.

Jonathan Jennings.

Frank Haney.

— Maxwell.

Benjamin Belew.	John Montgomery.
Peter Looney.	John Cotton.
Capt. John Blakemore.	Thomas Henry.
Moses Renfroe.	Mr. Cockrell.
Wm. Crutchfield.	—— Payne (killed.)
Mr. —— Johns.	John White.
Hugh Henry, Sr.	Solomon White.
Benjamin Porter.	

This list, however, does not include everyone in the party; there were women, children and servants not named, and the estimate is that there were about one hundred and sixty persons with him, of whom from thirty to forty were men, who handled and propelled the boat and defended it against Indian attacks. Colonel Donelson had his entire family with him and it was a large family, and he had also a number of servants. Mrs. James Robertson and her five children were also along. In the party was Mrs. Peyton, the mother of Honorable Bailey Peyton, distinguished in the politics of Tennessee and son of Ephraim Peyton, who accompanied James Robertson by the overland route with stock from the Watauga to the Cumberland. Robertson's party was to get to the Cumberland first, if possible, and build cabins for the reception of Colonel Donelson's party, coming by water.

Putnam throws this interesting light on the water trip.

"The party of immigrants, who joined Colonel Donelson at the mouth of Clinch, was under the direction and command of Captain John Blackmore: They started from Fort Blackmore on Clinch River. From the statements of Capt. Blackmore, Cartwright and others, we are justified in stating that there were some thirty or forty boats (flats, dugouts and canoes), in the united fleet, and none of them with less than two families and their goods on board. Few of these crafts were constructed to stem the current. In Donelson's boat there were three families."

Every school in Tennessee should give careful study to Colonel Donelson's water journey to Nashville. It was a heroic achievement and all ought to be taught to so view it. The school histories of the State should give it ample space to the end that the courage, sacrifices and achievements of some of the founders of the State be known and cherished by every citizen. Unfortunately we forget great things, even when accomplished by our own people on our own soil; and it is a safe estimate that a very small per cent of school children, who study Tennessee History, could tell anything about the water journey to the City of Nashville.

Colonel Donelson selected Clover Bottom as his home, which is a short distance west of the bridge across Stone River on the present Lebanon Pike, and there erected some rude temporary structures to live in until he and his servants could clear land and plant a crop. Later they were attacked by the Indians with disastrous results, and his land was overflowed; when Colonel Donelson determined to move into the State of Kentucky, where he had land claims and friends.

In 1783, Colonel Donelson and Colonel Martin were commissioned by the Governor of Virginia to hold a treaty with the Cherokees and Chickasaw Indians, and after this treaty was held at Nashville, Colonel Donelson returned to Kentucky, and remained there until 1785, when he went to Virginia, where he had interests, but with the determination to return and move his family back to the Cumberland Settlement.

Putnam tells us that while a member of the House of Burgesses in Virginia, he signed an address, which advocated the placing American industries upon a footing more independent of the restrictive policy of the mother country, which address was signed by Washington, Jackson, Patrick Henry, Lee, Randolph, Donelson, and other members of the House of Burgesses.

His death is a mystery that was never solved. He had started back from Virginia to Kentucky, pursuing the usual route by Cumberland Gap, and on to Davis' Station. It seems that he was joined by two young white men, who were going as they said to Nashville. At one point on the journey Colonel Donelson rode on ahead of the two young men, when they said they heard guns fire, and going to where the sounds came from, found Colonel Donelson shot, but able to travel a short distance further, where they stopped and camped for the night on Barren River. There he died and they buried him. Necessarily, suspicion of murder fell upon the young men, but there was no proof, and they were not prosecuted.

It would be impossible in a brief sketch like this to give a just statement of the life, character, and achievements of Colonel Donelson; that would take a volume, and it would be a very happy incident connected with early Tennessee history, if some one would write his life and give us every available detail about a man, who, as we look back and view his achievements, can fairly claim the right to be considered one of the great men of his day and generation.

ANDREW JACKSON DONELSON.

Andrew Jackson's devotion to his wife, Rachel Donelson Jackson, did not stop with her, but embraced everybody that was anything to her. General Jackson's immediate family were all dead, his father, mother and brothers. Along with other characteristics, he was a man of a decidedly domestic turn, and very warm in his affections to those he cared for. Numerous members of the Donelson family were objects of his affection, and among these none more than Andrew Jackson Donelson.

Andrew Jackson Donelson was the son of Samuel Donelson and a nephew of Mrs. Andrew Jackson. Samuel Donelson was Jackson's law partner, who died at the Hermitage suddenly on his return from Nashville, when he stopped in at the Hermitage to see his sister, Mrs. Jackson. He lived three or four miles north of the Hermitage. After his law partner's death, General Jackson took his son, Andrew Jackson Donelson, who was just a child, on horseback to the Hermitage and raised and educated him; and he was associated in various capacities with General Jackson for thirty-seven years. The General sent him to West Point, where he graduated, completing the four years' course there in three; also graduated at Cumberland University and at Lexington, Kentucky. While he did not adopt him, the General treated him always as his son. Young Donelson attained rank and title of Major and was on General Jackson's staff in Florida; was his private Secretary eight years that Jackson was president, and his wife filled the position of mistress of the White House; and there four of Major Donelson's children were born, the first children born in the White House. He was appointed by President Polk Envoy Extraordinary and Minister Plenipotentiary to Prussia; was Charge de Affairs to France and Charge de Affairs to Texas; was editor of the Washington Union, and was nominated on the ticket for Vice President of the United States with Millard Fillmore, in 1856. He owned a plantation in Mississippi, and died at Memphis, Tennessee, on his way back from his plantation, on June 26th, 1871. He was born August 25th, 1800. His first wife was his cousin, Emily Donelson, daughter of Capt. John Donelson; and his second wife was also his cousin, Elizabeth Martin, daughter of Capt. John Donelson and widow of Lewis P. Randolph, grand-son of Thomas Jefferson. Three of his sons, Daniel S., Martin and William, were born in Berlin, Prussia, when Major Donelson was Minister to Prussia.

MAJOR ANDREW JACKSON DONELSON



MRS. ANDREW JACKSON DONELSON

Niece of Mrs. Andrew Jackson.



The following letter exhibits General Jackson at his best as a letter writer on a high plane, and also the kind feeling he entertained for Major Donelson.

"ANDREW JACKSON TO CAPTAIN FENTON AT NEW ORLEANS."

"Nashville, Tenn., Feb. 20, 1821.

"Dear Sir:

"My nephew, Lieut. Andrew J. Donelson, whom I have educated as my son will hand you this; he has just finished his education at the Military Academy, is attached to the Engineering corps and visits the lower country to procure and report to me some necessary information relative to the frontier northwest of Louisiana, rendered necessary for its protection and defense, and to visit the fortifications on our Southern borders. I have a great wish that Lieut. Donelson should become acquainted with you and your amiable family, and have charged him if official duties will permit him, to call and pay his respect to you and your family, and have to ask for him your friendly attention. Lieut. Donelson is young, but I trust you will find him modest and unassuming; possessing as good an education as any of his age in America; of good moral habits, and entirely clean of all the dissipation too common to the youth of the modern day; and as such I beg leave to make him known to you and your family.

"With a tender of my best regards for you and your family believe me to be with due respect your most obedient servant,

"ANDREW JACKSON.

"Captain Fenton."

On May 24, 1845, General Jackson addressed a letter to Major Donelson at Washington, Texas, where he was the representative of the United States in the matter of the annexation of Texas. This letter, like the one just quoted, illustrates General Jackson's devotion to him:

"My dear Major: I rejoice that you will nobly execute your mission and bring the Lone Star into our glorious Union. It will give you such a standing in our country that Colonel Polk can yield to you such an appointment as will be both agreeable and profitable. This he is pledged to do and will do, I had liked to have said, *must do*.

"My dear Andrew, what may be my fate God only knows—I am greatly afflicted—suffer much, and it would be almost a miracle if I should survive my present attack.

* * * How far my God may think proper to bear me up under my weight of afflictions, He only knows. But my dear Major, live or die, you have my blessing and prayers for your welfare and

happiness in this world, and that we may meet in a blissful immortality. Jackson is doing well at the academy. He will realize all our best wishes. My whole family, children and all, kindly salute you, your affectionate uncle,

ANDREW JACKSON."

ANDREW JACKSON DONELSON AND THE ANNEXATION OF TEXAS.

Andrew Jackson Donelson was prominent in the councils of the Democratic party during the Jackson and Polk era, but history has not recorded him as a great man, or as having accomplished any great achievement for his country; and in failing to recognize the full measure of his services in the annexation of Texas, history has not done him full justice. His success in aid of the annexation ought to be a sure title to remembrance by the people of the United States. After Texas had become independent through the victory of Sam Houston at San Jacinto, it knocked more than once at the door of the Federal Union, but was not admitted. Finally Congress passed an act setting forth in the alternative the terms on which annexation could take place, and Major Donelson was sent by President John Tyler to Texas in November, 1844, as the representative of the United States to aid in bringing about the acceptance by Texas of the terms of admission of the United States; and Major Donelson accepted this mission, went to Texas, and stayed there until that State accepted without qualification the terms of Congress. His success was perfect and was so recognized at the time.

In a letter to him of January 9, 1845, John C. Calhoun, Secretary of State, paid him this tribute:

"I am happy to inform you that the course you have pursued has met the entire approbation of the Executive. The important points were to secure the confidence of the government of Texas and to keep open the question of annexation in both of which your efforts have been entirely successful."

On July 27th, 1845, President Polk wrote to Major Donelson in Texas:

"General Besancon arrived here this evening bearing your despatches announcing the gratifying intelligence that the Convention of Texas had accepted our terms of annexation as proposed to her, without condition or alteration. You have had an important agency in consummating this great event, and it gives me pleasure to say to you that your whole conduct meets the appreciation of your government, as it must of the country. * * *

"Congratulating you and the country on the success of your mission, * * * * *,

A letter from Major Donelson to Andrew Jackson dated May 28, 1845, at Washington, Texas, throws an interesting light on Sam Houston, his attitude in reference to the annexation of Texas, and Donelson's affection for Andrew Jackson:

"General Houston leaves here in a day or two for the Hermitage with his lady and son, and his friends Mr. Miller and Colonel Eldredge. You will find that the General has redeemed his pledge to restore Texas to the Union whenever the door was opened by the United States and reasonable terms were offered. He thought at first we might have negotiated on Mr. Walker's amendment, but when convinced that there was danger in delay, he has nobly advised the Government and the people to ratify the proposals offered by me, without dotting an i or crossing a t.

"You will find Mrs. Houston a most amiable, pious and cultivated lady. When they arrive let Mrs. Donelson know it, to whom I have written requesting her to open her house to the General and suite. * * *

"My great wish is to see you again. May Heaven bless the wish, and save your life yet longer for the good of our country, and the happiness of your friends and relations."

ANDREW J. DONELSON TO THOMAS RITCHIE.

Sam Houston all of his life was on the most intimate terms with Andrew Jackson and with Jackson's coterie of intimate friends, and any expression from those sources in reference to Houston is interesting, especially before Texas had been admitted to the Union, and before Houston had re-established himself politically in the United States after his resignation as Governor of Tennessee, followed by his residence among the Indians.

On May 28th, 1845, Major Donelson at New Orleans, addressed a very extended letter to Thomas Ritchie covering a number of topics, and one of them Sam Houston.

"Our friends here (New Orleans) treated Houston kindly, having invited him to a public dinner, and afforded him an opportunity by public speech to explain his course on the annexation question. He declined the dinner, but makes the speech this evening—after this he goes to Nashville by the first good conveyance.

"He delivered a temperance speech yesterday evening, gratifying a large audience by an elocution and sentiment that would have commanded applause before the best critics. The truth is Houston is a reformed and improved man. Fortunately married to a lady of fine endowments, combining religion with an amiable simplicity of manners, natural goodness of heart with a romantic taste, he realizes in the connection those fruits so hap-

pily described by Frederica Brehmer as the effect of a happy union of the sexes.

"Chastised by deep affliction, and wonderfully preserved by Providence from the wreck which usually overtakes those who embark on a sea of wild adventure, Houston comes back to his native land with a renovated constitution, and a mind greatly enlarged. He seems determined to atone for the disappointment of his friends, when he exiled himself, and sought an asylum in the hospitality of old King Folly, by dedicating his future life to their service, as the able advocate of virtue, and the firm supporter of those great principles which form the basis of the Democratic party. There was never a man more popular than he is now with his countrymen—and this is no small compliment when we look at the trials he has encountered with them and the magnitude of the interests he has managed for them. It was his policy and tact, maintained against all the obstacles, which envy and recklessness could throw in his way, that destroyed Santa Anna. So also was it his will and judgment that saved the Republic in its civil administration from being torn to pieces by the spirit of reckless extravagance.

* * * * *

"During the whole of his administration he kept at bay all foreign influence; and though always tempted, never swerved once from the road which led to the restoration of Texas to the Republican family. He goes to the Hermitage to carry to its venerable tenant the pleasing tidings of the attainment of all his hopes on this great question, and to pay him the homage which is due to him. Remember that Houston was once a private soldier, then a sergeant, then a lieutenant, and in all the stages of his service he received instruction and friendly aid from Genl. Jackson. He even goes so far as to give Genl. Jackson the credit of the victory of the battle of San Jacinto, saying that it was the result of the principles which he had seen illustrated at the Horseshoe, Emukfau, and Taledega.

"With such feelings and an admiration thus formed, it is but natural he should wish to pay a visit to his early friend and benefactor before he sinks to the tomb; and I pray that the Almighty may bless his visit to the good of the country, and the happiness of the aged and infirm tenant of the Hermitage."

President Polk's feelings toward Sam Houston are shown in a letter from him at Washington City May 6, 1845, addressed to Major Donelson, at Washington, Texas, in which the President uses this language:

"We desire most anxiously that she (Texas) will accept the offer as made to her, and if she does, she may rely upon our magnanimity and sense of justice toward her. We will act in a way that will satisfy her. I hope her people and government will not

hesitate. Nothing could give me more pleasure personally, and nothing I am sure would give a vast majority of our people more pleasure, than to see my old friend Houston bring her constitution in his hand as one of our Senators, take his seat in the Senate of the United States next winter. Surely he will not, cannot, hesitate. Make my kind respects to Houston and tell him that I hope to soon welcome the young republic of which he was the founder, into our confederacy of States, and to see him the representative of her sovereignty in our Senate."

In Jackson's letter to Major Donelson of May 24, 1845, above quoted, in reference to an appointment by President Polk for Major Donelson, Old Hickory assumes the role of a prophet; and said "this (appointment) he is pledged to do and will do, I had liked to have said, *must* do," and a good prophet he was. On March 5, 1846, about ten months afterwards, Donelson received from President Polk at Washington a letter which must have been very pleasant reading, for the President says:

"I have this day nominated you to the Senate as Extraordinary and Minister Plenipotentiary to Prussia. I presume there will be no objection to your confirmation," and on April 20, 1846, Major Donelson called on the President at Washington on his way to assume the duties of the position of Minister to Prussia.

But the President's favor did not stop there; on August 5, 1848, he nominated Donelson as Envoy Extraordinary and Minister Plenipotentiary to the German Confederation.

Other parts of this book give the account of the adoption by General Jackson of the son of Severn Donelson, Mrs. Jackson's brother, and the changing of the name of the adopted son, to Andrew Jackson, Jr.

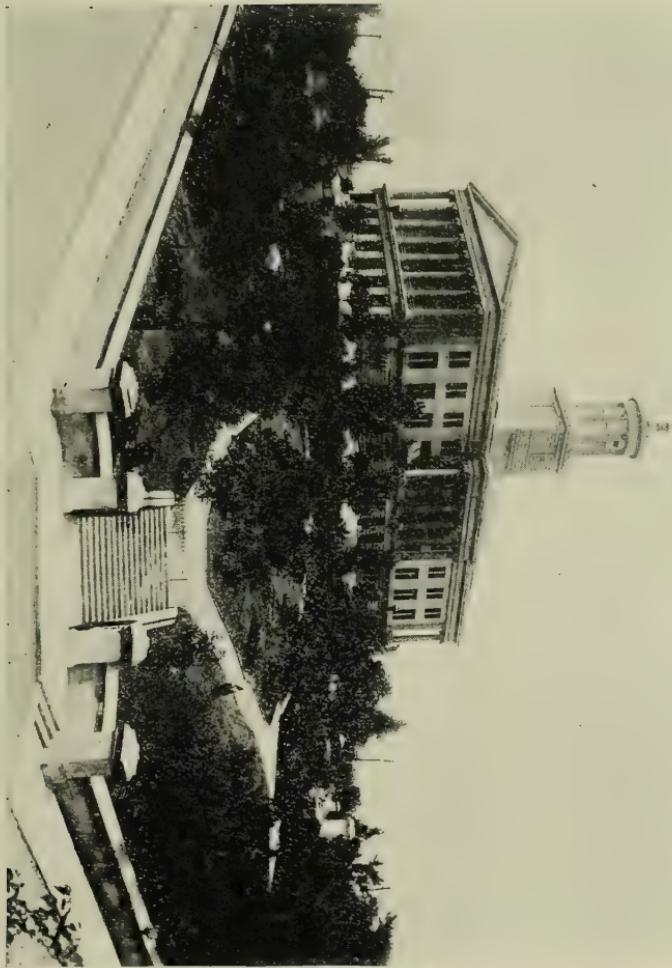
Limitations will not permit detailed statements in reference to all members of the Donelson family. It is sufficient for our purpose to say that the family developed from pioneer days into one of the most distinguished in the South, and has maintained its prestige as one of the highest character, refinement, ability and patriotism.

CHAPTER 10.

Nashville.

The city of Nashville has from its foundation paid homage to James Robertson and John Donelson as its founders, and as the years have gone by these two have become, as every one thought, exclusively enshrined in the hearts of all citizens in that capacity. As stated in another chapter, nothing gives a man a higher or more permanent place in history than to found a city. But for a few years past a strong, enthusiastic and aggressive voice has been heard in the State of North Carolina coming from Dr. Archibald Henderson, a kinsman in the fourth degree, of Colonel Richard Henderson, claiming that not only is Colonel Richard Henderson entitled to be considered along with Robertson and Donelson as founders of Nashville, but that he was actually the original progenitor of the city, and that through his influence and that of the Transylvania Company of which he was President, Robertson and Donelson first made their way, the one by land and the other by water, in that dreary winter of 1779-80, in which Robertson crossed the frozen Cumberland River on January 1, 1780, to lay the foundations of the future city, and Donelson, coming by water, finally reached his co-laborer in the great historic undertaking of founding the capital city of Tennessee. Dr. Archibald Henderson has written a number of articles, sketches and pamphlets bearing upon the Transylvania Company and its activities in attempting to buy Kentucky and Tennessee, and get title thereto, and to open the same for the civilization of men of white skin. It is impossible here to go into all the details of Dr. Henderson's contentions and statements as to the activities of the Transylvania Company and Richard Henderson. We think it best to state some at least of his claims in his own words, and for that purpose we quote from a speech made by him April 27, 1916, in Watkins Hall, Nashville, before a joint meeting of the Mississippi Valley Historical Association and the Tennessee Historical

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Society, upon the subject of "Richard Henderson: The Authorship of the Cumberland Compact and the Founding of Nashville." Whether Dr. Henderson's contentions for his ancestor shall ultimately be accepted in all their breadth, it is unnecessary here to attempt to decide, but it can be said that everything that he has written upon the subject is profoundly interesting and educational to the people of Tennessee, and it is to be hoped in the interest of historical accuracy and justice, that if the matter is capable of definite and conclusive settlement at all, that it will be settled irrevocably one way or the other; and Tennesseans will raise no adverse voice if conclusive testimony is produced, and it is demonstrated that Henderson has the right to stand as a founder by the side of James Robertson and John Donelson.

In his address at Watkins Hall, Dr. Henderson first gave the facts of the repudiation by the State of Kentucky of the purchase by the Transylvania Company of the territory of Kentucky from the Indians, by which repudiation the ambition of Henderson and his associates was crushed in their attempt to found an independent State upon the soil of the "dark and bloody ground." The historic dream vanished and with it went a demonstration of one of the most daring enterprises connected with the colonization of any new country, and we are disposed to believe that eventually Richard Henderson may be shown to deserve to stand in the same class with Cecil Rhodes, James J. Hill and others of like calibre and record, as developers and builders of new countries.

Taking up the plan of a colony upon the soil of Tennessee, Dr. Henderson enters upon an argument for what he considers a more just historical setting for his ancestor.

DR. HENDERSON'S ORATION.

"With the bursting of the Translyvania bubble and the vanishing of the golden dreams of Henderson and his associates for establishing the Fourteenth American Colony in the heart of the trans-Alleghany region all might have seemed lost. But is Richard Henderson disheartened by this failure of his imperialistic dreams? Does he, as Mr. Roosevelt crassly affirms, 'drift out of history?' No; the purest and greatest achievement of his meteoric career still lies before him. The genius of the colonizer and the ambition of the speculator, in striking conjunction, inspire him to attempt to repeat on North Carolina soil, along solidly practical lines, the revolutionary experiment which the extension of the sovereignty of the Old Dominion over the Ken-

tucky area had doomed to inevitable failure. It was no longer his purpose, however, to attempt to found an independent colony separate from North Carolina and hostile to the American Government as in the case of Transylvania which had been hostile to the royal government and founded in defiance thereof." * * *

"Judge Henderson's comprehensive design of the promotion of an extensive colonization of the Cumberland region now moves rapidly towards completion. It is simply a case of history repeating itself. Just as Henderson in his Boonesboro project had chosen Daniel Boone, the ablest of the North Carolina pioneers, and his companions to spy out the land and select sites for permanent future settlement, so now he chooses the leader as the leader of the new colonizing party the ablest pioneer of the Watauga Settlement, James Robertson. Large inducements to assemble and lead this party were indubitably offered by the Transylvania Company to James Robertson. Nothing less than such inducements would have influenced Robertson to abandon the comparatively peaceable Watauga Settlement, where he was the acknowledged leader and the Indian agent in the employ of the State of North Carolina, to venture his life in this desperate hazard of new fortunes." * * *

"Meantime, the colonization of the Cumberland instigated by Judge Henderson as President of the Transylvania Company and to be engineered by James Robertson, had been delayed; and the party of settlers had failed to start from the Long Island on March 1, as prophetized by Robertson. Colonel Nathaniel Hart, one of the proprietors of the Transylvania Company living at Boonesboro, Kentucky, actively fostered the plans for the expedition by water of Colonel John Donelson, and supplied him with some corn for the journey. 'In Connection With the Early History of Kentucky,' records his son, Colonel Nathaniel Hart, Jr., 'it may not be amiss to state that Cumberland—now Middle Tennessee, was also mainly settled under the auspices of Henderson & Company.' * * * Dr. Archibald Henderson gives as his authority for this statement a letter written by Colonel Nathaniel Hart, Jr., to Wilkins Tannehill in the Louisville News-Letter, a newspaper, of May 23, 1840.

"Meantime the fate of this colony (Cumberland) which he had promoted and upon whose efforts the subsequent fate of the Transylvania Company depended, was weighing heavily upon the mind of Judge Henderson. The terrible hardships of this bitter winter ever afterwards known as the Hard Winter, which he had endured in the course of his difficult and dangerous journey to Boonesboro, brought to his mind the thought of equal or greater hardships which Robertson and his party must likewise have borne in their arduous journey overland to the French Lick. But his concern was, if anything, greater for the party of men, with many women and children, also destined for the French Lick, who, under the leadership of Colonel John Donelson, had set sail from

Fort Patrick Henry, on Holston River, in the good boat Adventure, on December 22, 1779. With paternalistic care and a lively sense of responsibility for the welfare of these two parties which he had himself induced to make the great venture, Judge Henderson proceeds to purchase in Kentucky at huge cost a large stock of corn for the colony at French Lick."

* * * * *

"The most memorable entries in Donelson's famous journal are the references to Henderson and Robertson—projector and leader respectively of the Cumberland Settlement. Although James Robertson failed to meet Donelson at the Muscle Shoals or to leave signs there for their guidance, they were met further up the river on Friday, March 31, by the watchful and anxious Henderson. The entry in Donelson's journal demonstrated the wise forethought of the promoter of the settlement, read as follows: 'Set out this day and after running some distance met with Colonel Richard Henderson, who was running the line between Virginia and North Carolina. At this meeting we were much rejoiced. He gave us every information we wished and further informed us that he had purchased a quantity of corn in Kentucky to be shipped to the falls of the Ohio for the use of the Cumberland Settlement. We are now without bread and are compelled to hunt the buffalo to preserve life.' " * * *

"The lapse of time now forbids me to pursue further this story of the strenuous struggles and incredible hardships of the Cumberland Settlers, who established here a permanent bulwark against the copper-hued savage and laid here forever the foundations of what is now the great and populous city of Nashville. I will content myself with presenting to you one fundamental historical truth as the culmination of this research. This is the question in regard to the authorship of the famous Cumberland Compact. The cock-sure Mr. Roosevelt with his habitual dogmatism concludes without proof or evidence that the author of that remarkable document was James Robertson. The inherent truth of the situation, if other evidence were not finally conclusive, demonstrates this to be impossible. The best informed writer on this subject, Putnam, who in 1846 discovered the original document now jealously preserved in the archives of the Tennessee Historical Society: 'As Richard Henderson and the other members of the Transylvania Land Company were here at this juncture, April, 1780, he, Henderson, was foremost in urging some form of government.' A brief inspection will demonstrate its character. First of all, the Cumberland Compact is a mutual contract between the co-partners of the Transylvania Company and the settlers upon the land claimed by the company. It is moreover a bill of rights through careful provisions safe-guarding the rights of each party to the contract. The significant feature of the document is that it is an elaborate legal paper which could have

been drafted only by one intimately versed in the intricacies of the law and its terminology." * * *

"The indisputable facts that Richard Henderson, eminent as lawyer and jurist was the only lawyer on the Cumberland in May, 1780, and that his name heads the list of 230-odd signatures to the document known as the Cumberland Compact, has led one of the Justices of our own Supreme Court, a deep student of the early history of Tennessee, the Hon. Samuel C. Williams, to state in print that 'without serious doubt' Judge Henderson was the draftsman of the compact of government." * * *

"It may be the time is not far distant when in this great city of Nashville patriotically signalized by its monuments and memorials to James Robertson, sagacious and paternal leader, and to John Donelson, intrepid and successful pioneer, there shall be erected some adequate memorial to the pioneering genius and empire building imagination of the man who inaugurated and engineered the hazardous and arduous enterprise of a settlement at the French Lick, drafted the Cumberland Compact, and in his right of title to divide with James Robertson and John Donelson the honor in the founding of Nashville."

In the Tennessee Historical Magazine for September, 1916, in which the above speech is printed in full, there is published as an appendix to the speech, an affidavit signed by W. A. Provine and John H. DeWitt, President of the Tennessee Historical Society, as follows:

' AFFIDAVIT OF W. A. PROVINE AND JOHN H. DEWITT.

State of Tennessee,
County of Davidson.

"We, W. A. Provine and John H. DeWitt, make oath that on April 28, 1916, with Dr. Archibald Henderson, of Chapel Hill, North Carolina, we carefully examined the original Cumberland Compact in the custody of the Tennessee Historical Society, and compared the same with certain photographic facsimiles of certain pages of writing furnished us as the genuine handwriting of Judge Richard Henderson, of North Carolina, who was President of the Transylvania Company, to-wit, a page of the diary of Richard Henderson written in 1775, the original of which is in the Draper Manuscripts at Madison, Wisconsin; a photostatic copy of his memorial to the Legislature of North Carolina in 1784, the original of which is in the archives of the North Carolina Historical Commission, Raleigh, North Carolina, and a pencil tracing of his signature as Judge of the Superior Court of North Carolina, the original of which is in the courthouse at Salisbury, North Carolina. The information as to the nature and location of his papers being furnished us by Dr. Archibald Henderson. While our attention was not given to the subject matter of these writings, neverthe-

less, we made a very careful comparison of the handwriting with the handwriting of the text of the Cumberland Compact and the name of Richard Henderson as the first signer thereto; and we are both convinced without reservation that the handwriting of the Cumberland Compact and all of the aforesaid documents is one and the same. We especially noted that the signatures of Judge Richard Henderson as traced from the Salisbury courthouse records and as appended to the Cumberland Compact, are identical.

"We are convinced from these comparisons that Judge Richard Henderson was the draftsman and author of the original Cumberland Compact.

(Signed) "W. A. PROVINE.
 "JOHN H. DEWITT.

"Sworn to and subscribed before me on this the 30th day of May, 1916.

"JOHN H. LECHLEITER, *Notary Public.*"

(Seal)

This affidavit would appear to demonstrate that Dr. Henderson has made out his case in favor of his ancestor so far as the authorship of the Cumberland Compact is concerned, and if he accomplished nothing else for that ancestor than to prove that he wrote that great historical document, he accomplished a great deal.

The Anglo-Saxon instinct is for government and law, and nowhere has this been more thoroughly demonstrated than in the settlements west of the Alleghany Mountains, where the Watauga people formed the Watauga Association under a written compact with each other; where the Cumberland settlers formed a government under the name of the Cumberland Compact, and where under the trees at Boonesboro, Kentucky, the hardy pioneers organized themselves in a form of government of their own make.

The Cumberland Compact is a very old document, and has been published in Tennessee before, but knowledge of it is exceedingly limited upon the part of citizens of the State, and we republish it in full in order that the present generation may see in it the genius for self-government upon the part of their ancestry, and also in order that descendants of those who signed this compact may have the justifiable pride of seeing the names of their ancestors in a great patriotic document. The Compact follows:

THE CUMBERLAND COMPACT.

ARTICLES OF AGREEMENT, or Compact of Government, entered into by settlers on the Cumberland River, 1st May, 1780."

[The first page is lost, and the second torn and defaced, but we can read distinctly as follows, supplying in brackets lost words.]

" . . . property of right shall be determined as soon [as] conveniently may be, in the following manner: The free men of this country over the age [of twenty] one years shall immediately, or as soon as may [be convenient] proceed to elect or choose twelve conscientious and [deserving] persons from or out of the different stations, that is [to] say: From Nashborough, three; Gasper's, two; Bledsoe's, one; Asher's, one; Stone's River, one; Freeland's, one; Eaton's, two; Fort Union, one; Which said persons, or a majority of them, after being bound by the solemnity of an oath to do equal and impartial justice between all contending parties, according to the best of their skill and judgment, having due regard] to the regulations of the Land Office herein established, shall be competent judges of the matter, and . . . hearing the allegations of both parties, and [their] witnesses, as to the facts alleged, or otherwise . . . as to the truth of the case, shall have [power] to decide the controversies, and determine who is of right entitled to an entry for such land so in dispute, when said determination or decision shall be forever bind [ing] and conclusive against the future claim of the property against whom such judgment [shall be rendered]. And the Entry Taker shall make a [record thereof] in his book accordingly, and the entry . . . tending party so cast shall be . . . if it had never been made, and the land in dispute . . . to the person in whose favor such judgment shall . . .

" . . . in case of the death, removal, or absence of any of the judges so chosen, or their refusing to act, the station to which such person or persons belong, or was chosen from, shall proceed to elect another or others in his or their stead; which person or persons so chosen, after being sworn, as aforesaid, to do equal and impartial justice, shall have full power and authority to proceed to business and act in all disputes respecting the premises, as if they had been originally chosen at the first election.

"That the entry book shall be kept fair and open by . . . person . . . to be appointed by said Richard Henderson . . . choose, and every entry for land numbered and dated, and . . . order without leaving any blank leaves or spaces, . . . to the inspection of the said twelve judges, or . . . of them, at all times.

"That whereas many persons have come to this country without implements of husbandry, and from other circumstances are obliged to return without making a crop, and [intend] removing out this fall, or early next spring, and it . . . reason . . . such should have the pre-emp[tion] . . . of such places as they may have chosen . . . the purpose of residence, therefore it is . . . be taken for all such, for as much land as they are entitled to for their head rights, which said lands shall be reserved for the particular person in whose name they

shall be entered, or their heirs; provided such person shall remove to this country and take possession of the respective place or piece of land so chosen or entered, or shall send a laborer or laborers, and a white person in his or her stead, to perform the same, on or before the first day of May, in the year one thousand seven hundred and eighty-one; and also provided such land so chosen and entered for is not entered and claimed by some person who is an inhabitant, and shall raise a crop of corn the present year at some station or place convenient to the general settlement in this country. But it is fully to be understood that those who are actually at this time inhabitants of this country shall not be debarred of their choice or claim on account of the right of any such absent or returning person or persons. It is further proposed and agreed that no claim or title to any lands whatsoever shall be set up by any person in consequence of any mark, or former improvement, unless the same be entered with the Entry Taker within twenty days from the date of this association and agreement; and that when any person hereafter shall mark or improve land or lands for himself, such mark or improvement shall not avail him or be deemed an evidence of prior right unless the same be entered with the Entry Taker in thirty days . . . from the time of such mark or improvement; but no other person shall be entitled to such lands so as aforesaid to be reserved . . . consequence of any purchase, gift, or otherwise.

"That if the Entry Taker to be appointed shall neglect or refuse to perform his duty, or be found by the said Judges, or a majority of them, to have acted fraudulently, to the prejudice of any person whatsoever, such Entry Taker shall be immediately removed from his office, and the book taken out of his possession by the said Judges, until another shall be appointed to act in his room.

"That as often as the people in general are dissatisfied with the doings of the Judges or Triers so to be chosen, they may call a new election at any of the said stations, and elect others in their stead, having due respect to the number now agreed to be elected at each station, which persons so to be chosen shall have the same power with those in whose room or place they shall or may be chosen to act.

"That as no consideration-money for the lands on Cumberland River, within the claim of the said Richard Henderson and Company, and which is the subject of this Association, is demanded or expected by the said Company, until a satisfactory and indisputable title can be made, so we think it reasonable and just that the twenty-six pounds thirteen shillings and four pence, current money, per hundred acres, the price proposed by the said Richard Henderson, shall be paid according to the value of money on the first day of January last, being the time when the price was made public [and] settlement encouraged thereon by said Henderson, and the said Richard Henderson on his part does

hereby agree that in case of the rise or appreciation of money from that . . . an abatement shall be made in the sum according to its raised or appreciated value.

"That when any person shall remove to this country with intent to become an inhabitant, and depart this life, either by violence or in the natural way, before he shall have performed the requisites necessary to obtain lands, the child or children of such deceased person shall be entitled, in his or her room, to such quantity of land as such person would have been entitled to in case he or she had lived to obtain a grant in their own name; and if such death be occasioned by the Indians, the said Henderson doth promise and agree that the child or children shall have as much as amounts to their head-rights gratis, surveyor's and other incidental fees excepted.

"And whereas, from our remote situation and want of proper offices for the administration of justice, no regular proceedings at law can be had, for the punishment of offenses and attainment of right, it is therefore agreed, that until we can be relieved by government from the many evils and inconveniences arising therefrom, the judges or triers to be appointed as before directed, when qualified, shall be and are hereby declared a proper court of jurisdiction for the recovery of any debt or damages; or where the cause of action or complaint has arisen, or hereafter shall commence, for any thing done or to be done, among ourselves, within this our settlement on Cumberland aforesaid, or in our passage hither, where the laws of our country could not be executed, or damages repaired in any other way; that is to say, in all cases where the debt or damages or demand does or shall not exceed one hundred dollars, any three of the said Judges or Triers shall be competent to make a Court, and finally decide the matter in controversy; but if for a larger sum, and either party shall be dissatisfied with the judgment or decision of such Court, they may have an appeal to the whole twelve Judges or Triers, in which case nine members shall be deemed a full Court, whose decision, if seven agree in one opinion, the matter in dispute shall be final, and their judgment carried into execution in such manner, and by such person or persons, as they may appoint; and the said Courts, respectively, shall have full power to tax such costs as they may think just and reasonable, to be levied and collected with the debt or damages so to be awarded.

"And it is further agreed, that a majority of said Judges, Triers, or General Arbitrators, shall have power to punish in their discretion, having respect to the laws of our country, all offenses against the peace, misdemeanors, and those criminal, or of a capital nature, provided such Court does not proceed with execution so far as to effect life or member; and in case any shall be brought before them whose crime is or shall be dangerous to the State, or for which the benefit of clergy is taken away by law, and sufficient evidence or proof of the fact or facts can prob-

ably be made, such Court, or a majority of the members, shall and may order and direct him, her or them to be safely bound and sent under a strong guard to the place where the offense was or shall be committed, or where legal trial of such offense can be had, which shall accordingly be done, and the reasonable expense attending the discharge of this duty ascertained by the Court, and paid by the inhabitants in such proportion as shall be hereafter agreed on for that purpose.

"That as this settlement is in its infancy, unknown to government, and not included within any county within North Carolina, the State to which it belongs, so as to derive the advantages of those wholesome and salutary laws for the protection and benefit of its citizens, we find ourselves constrained from necessity to adopt this temporary method of restraining the licentious, and supplying, by unanimous consent, the blessings flowing from just and equitable government, declaring and promising that no action or complaint shall be hereafter instituted or lodged in any Court of Record within this State, or elsewhere, for any thing done or to be done in consequence of the proceedings of the said Judges or General Arbitrators so to be chosen and established by this our association.

"That the well-being of this country entirely depends, under Divine Providence, on unanimity of sentiment and concurrence in measures, and as clashing interests and opinions, without being under some restraint, will most certainly produce confusion, discord and almost certain ruin, so we think it our duty to associate, and hereby form ourselves into one society for the benefit of present and future settlers, and until the full and proper exercise of the laws of our country can be in use, and the powers of government exerted among us: We do most solemnly and sacredly declare and promise each other, that we will faithfully and punctually adhere to, perform, and abide by this our Association, and at all times, if need be, compel, by our united force, a due obedience to these, our rules and regulations. In testimony whereof, we have hereunto subscribed our names in token of our entire approbation of the measures adopted."

"The following or additional resolutions, and further association, were also entered into at Nashborough, this 13th day of May, 1780, to wit:

"That all young men over the age of sixteen years, and able to perform militia duty, shall be considered as having a full right to enter for and obtain lands in their own names, as if they were of full age; and in that case not to be reckoned in the family of his father, mother, or master, so as to avail them of any land on their account.

"That where any person shall mark or improve land or lands, with intent to set up a claim thereto, such person shall write or mark in legible characters the initial letters of his name at least, together with the day of the month and year on which he marked

or improved the same, at the spring or most notorious part of the land, or some convenient tree or other durable substance, in order to notify his intentions to all such as may inquire or examine, and in case of dispute with respect to priority of right, proof of such transaction shall be made by the oath of some indifferent witness, or no advantage or benefit shall be derived from such mark or improvement; and in all cases where priority of mark or occupancy cannot be ascertained according to the regulations and prescriptions herein proposed and agreed to, the oldest or first entry in the office to be opened in consequence of this Association shall have the preference, and the lands granted accordingly.

"It is further proposed and agreed that the Entry Office shall be opened at Nashborough, on Friday, the 19th of May, instant, and kept from thenceforward at the same place, unless otherwise directed by any future Convention of the people in general, or their representatives.

"That the Entry Taker shall and may demand and receive twelve dollars for each entry to be made in his book, in manner before directed, and shall give a certificate thereof, if required; and also may take the same fees for every caveat or counter-claim to any lands before entered; and in all cases where a caveat is to be tried in manner before directed, the Entry Book shall be laid before the said Committee of Judges, Triers, or General Arbitrators, for their inspection and information, and their judgment upon the matter in dispute fairly entered as before directed; which said Court or Committee is also to keep a fair and distinct journal or minutes of all their proceedings, as well with respect to lands as other matters which may come before them in consequence of these our resolutions.

"It is also firmly agreed and resolved that no person shall be admitted to make an entry for any lands with the said Entry Taker, or permitted to hold the same, unless such person shall subscribe his name and conform to this our Association, Confederacy, and General Government, unless it be for persons who have returned home, and are permitted to have lands reserved for their use until the first day of May next, in which case entries may be made for such absent persons, according to the true meaning of this writing, without their personal presence, but shall become utterly void, if the particular person or persons for whom such entry shall be made should refuse or neglect to perform the same as soon as conveniently may be after their return, and before the said first day of May in the year 1781.

"Whereas the frequent and dangerous incursions of the Indians, and almost daily massacre of some of our inhabitants, renders it absolutely necessary, for our safety and defense, that due obedience be paid to our respective officers elected and to be elected at the several stations or settlements, to take command of the men or militia at such fort or station;

"It is further agreed and resolved that when it shall be adjudged necessary and expedient by such commanding officer to draw out the militia of any fort or station to pursue or repulse the enemy, the said officer shall have power to call out such and so many of his men as he may judge necessary, and in case of disobedience may inflict such fine as he in his discretion shall think just and reasonable; and also may impress the horse or horses of any person or persons whomsoever, which, if lost or damaged in such service, shall be paid for by the inhabitants of such fort or station in such manner and such proportion as the Committee hereby appointed, or a majority of them, shall direct and order; but if any person shall be aggrieved or think himself unjustly vexed and injured by the fine or fines so imposed by his officer or officers, such person may appeal to the said Judges or Committee of General Arbitrators, who, or a majority of them, shall have power to examine the matter fully, and make such order therein as they may think just and reasonable, which decision shall be conclusive on the party complaining, as well as the officer of officers inflicting such fine; and the money arising from such fines shall be carefully applied for the benefit of such fort or station, in such manner as the said Arbitrators shall hereafter direct.

"It is lastly agreed and firmly resolved that a dutiful and humble address or petition be presented, by some person or persons to be chosen by the inhabitants, to the General Assembly, giving the fullest assurance of the fidelity and attachment to the interest of our country, and obedience to the laws and constitution thereof. Setting forth that we are confident our settlement is not within the boundaries of any nation or tribe of Indians, as some of us know and all believe that they have fairly sold and received satisfaction for the land or territories whereon we reside, and therefore we hope we may not be considered as acting against the laws of our country or the mandates of government.

"That we do not desire to be exempt from the rateable share of the public expense of the present war, or other contingent charges of government. That we are, from our remote situation, utterly destitute of the benefit of the laws of our country, and exposed to the depredations of the Indians, without any justifiable or effectual means of embodying our Militia, or defending ourselves against the hostile attempts of our enemy; praying and imploring the immediate aid and protection of government, by erecting a county to include our settlements, appointing proper officers for the discharge of public duty, taking into consideration our distressed situation with respect to the Indians, and granting such relief and assistance as in wisdom, justice and humanity may be thought reasonable.

"Nashborough, 13th May, 1780."

Richard Henderson,
Nathaniel Hart,
Wm. H. Moore;

Samuel Willson,
John Reid,
Joseph Dougherty,

Samuel Phariss,
 John Donelson, C.,
 Gasper Mansker,
 John Caffrey,
 John Blakemore, Sr.,
 John Blakemore, Jr.,
 James Shaw,
 Francis Armstrong,
 Robert Lucas,
 James Robertson,
 George Freland,
 James Freland,
 John Tucker,
 Peter Catron,
 Philip Catron,
 Francis Catron,
 John Dunham,
 Isaac Johnson,
 Adam Kelar,
 Thomas Burgess,
 William Burgess,
 William Green,
 Moses Webb,
 Absalom Thomson,
 Samuel Deson,
 Samuel Martin,
 James Buchanan,
 Solomon Turpin,
 Isaac Rentfro,
 Robert Cartwright,
 Hugh Rogan,
 Joseph Morton,
 William Woods,
 David Mitchell,
 Thomas Hendricks,
 John Holladay,
 Frederick Stump (in
 Dutch)
 William Hood,
 John Boyd,
 Jacob Stump,
 Henry Hardin,
 Richard Stanton,
 Sampson Sawyers,
 John Hobson,
 Ralph Wilson,
 James Givens,
 James Harrod,
 James Buchanan, Sr.,

Charles Cameron,
 Isaac Rounsavall,
 James Crockett,
 John Anderson,
 Matthew Anderson,
 Wm. McWhirter,
 Barnet Hainey,
 Richard Sims,
 Titus Murray,
 James Hamilton,
 Henry Dougherty,
 Zach. White,
 Burgess White,
 William Calley,
 James Ray,
 William Ray,
 Perley Grimes,
 Samuel White,
 Daniel Hogan,
 Thomas Hines,
 Robert Goodloe,
 Thomas W. Alston,
 William Barret,
 Thomas Shannon,
 James Moore,
 Richard Moore,
 Samuel Moore,
 John Cordry,
 Nicholas Tramal,
 Andrew Ewin,
 Ebenezer Titus,
 Mark Robertson,
 John Montgomery,
 Charles Campbell,
 William Overall,
 John Turner,
 Nathaniel Overall,
 Patrick Quigley,
 Josias Gamble,
 Samuel Newell,
 Joseph Read,
 David Maxwell,
 Thomas Jefriss,
 Joseph Dunnagin,
 John Phelps,
 Andrew Bushony,
 Daniel Ragsdell,
 John McMurtys,
 D'd. Williams,

William Geioch,
 Samuel Shelton,
 David Shelton,
 Spill Coleman,
 Samuel McMurray,
 P. Henderson,
 Edward Bradley,
 Edward Bradley, Jr.,
 James Bradley,
 Michael Stoner,
 Joseph Moseley,
 Henry Guthrie,
 W. Russell, Jr.,
 Hugh Simpson,
 Samuel Moore,
 Joseph Denton,
 Arthur McAdoo,
 James McAdoo,
 Nathaniel Henderson,
 John Evans,
 Wm. Bailey Smith,
 Peter Luney,
 John Luney,
 James Cain,
 Daniel Johnson,
 Daniel Jarrot,
 Jesse Maxey,
 Noah Hawthorn,
 Charles McCartney,
 John McVay,
 James Thomson,
 Charles Thomson,
 Robert Thomson,
 Martin Hardin,
 Elijah Thomson,
 Andrew Thomson,
 William Seaton,
 Edward Thomelu,
 Isaac Drake,
 Jonathan Jenings,
 Zachariah Green,
 Andrew Lucas,
 his
 James X Patrick,
 mark
 Richard Gross,
 John Drake,
 Daniel Turner,
 Timothy Feret,

John McAdames,
 Samson Williams,
 Thomas Thompson,
 Martin King,
 William Logan,
 John Alstead,
 Andrew Crocket,
 Russell Gower,
 John Shannon,
 David Shannon,
 Jonathan Drake,
 Benjamin Drake,
 John Drake,
 Mereday Rains,
 Richard Dodge,
 James Green,
 James Cooke,
 Daniel Johnston,
 George Miner,
 George Green,
 William Moore,
 Jacob Cimberlin,
 Robert Dockerty,
 John Crow,
 William Summers,
 Lesois Frize (?) (some name
 in Dutch hieroglyphics),
 Amb's. Mauldin,

Morton Mauldin,
 John Dunham,
 Archelaus Allaway,
 Hayden Wells,
 Daniel Ratletf,
 John Callaway,
 John Pleake,
 Willis Pope,
 Silas Harlan,
 Hugh Leeper,
 Harmon Consellea,
 Humphrey Hogan,
 James Foster,
 William Morris,
 Nathaniel Bidlack,
 A. Tatom,
 William Hinson,
 Edmund Newton,
 Jonathan Green,
 John Phillips,

Isaac Lefever,	George Flynn,
Thomas Fletcher,	Daniel Jarrott,
Samuel Barton,	John Owens,
James Ray,	James Freland,
Thomas Denton,	Thomas Malloy,
Elijah Moore,	Isaac Lindsay,
John Moore,	Isaac Bledsoe,
John Gibson,	Jacob Castleman,
Robert Espey,	George Power,
George Espey,	Nicholas Counrod,
William Gowen,	Evin Evins,
John Wilfort,	Jonathan Evins,
James Espey,	John Thomas,
Michael Kimberlin,	Joshua Thomas,
John Cowan,	David Rounsavall,
Francis Hodge,	Samuel Hayes,
William Fleming,	Isaac Johnson,
James Leper,	Thomas Edmeston,
George Leper,	Ezekiel Norris,
Daniel Mungle,	William Purnell,
Patrick McCutchen,	William McMurray,
Samuel McCutchen,	James Lynn,
William Price,	Thomas Cox,
Henry Kerbey,	Edward Lucas,
Joseph Jackson,	Phillip Alston,
Daniel Ragsdil,	James Russell.
Michael Shaver,	

This book having to do only with early Tennessee history, it will not be expected that we enter upon the development and later career of Tennessee's splendid Capital City located upon the banks of the Cumberland. At the death of General Jackson, 1845, Nashville was a small municipality of something like eight thousand population, and, as a municipality alone, could not offer very much of interest. But historically it has profound interest for all Tennesseans, who are unanimous in their loyal pride in the Capital of the State which has become the center of the activities of a great church, with great book publishing and printing establishments, universities and schools and a literary and educational development, which entitle it to be called the Athens of the South. In 1785 Davidson Academy was chartered. The Legislature of the State in 1806 chartered Cumberland College, which in 1825 became Nashville University.

In 1818 the "General Jackson" owned by General William Carroll and built at Pittsburg, Pennsylvania, was the first steam-

boat to go to Nashville. The trip from New Orleans to Nashville by boat at that time took 35 days.

The first capitol building in which the Legislature met in Nashville in 1812 was on Broad Street nearly opposite the present Post Office, and a post office was opened in the city on April 1, 1796, with Capt. John Gordon as postmaster.

Nashville has been the witness of as many great historical and intellectual contests as any city of the South. Tennessee has no reason to be ashamed of its early orators, statesmen, leaders and educators, very many of whom conducted their activities in the Capital City. It was early selected as the permanent Capital of the State, and became the site of the State government, and this brought to it influences, visitors, movements, and powers that would not otherwise have come, and which have entered so largely into that development which has made the city so fixed in the affections of the people of Tennessee.

CHAPTER 11.

The Cherokees—Messages of Presidents Monroe, John Quincy Adams, Jackson and Van Buren on Removal of Indians.

The combat between the pioneers of Tennessee and the Cherokees was bold and bitter and bloody on both sides, and the white man finally conquered. It is of interest to Tennesseans, therefore, to know something of this tribe that caused their ancestors so much toil and exposure, anguish and death, and who finally, through the persistent policy of Andrew Jackson, a Tennessean, took up their march toward the west, where they now are.

Unlike many other tribes of American Indians, the Cherokees seemed to prefer a mountain country, and they were the mountaineers of the South, and at one time claimed ownership of more than one hundred thousand square miles which covered all of Kentucky, all of Tennessee except West Tennessee, large portions of North Alabama and North Georgia almost as far down as Atlanta, one-half or more of South Carolina, and the mountain section of North Carolina. This territory constituted the original claim of the Cherokees.

When their final cession was made and they transferred all of their holdings to the United States government, their territory consisted of lower East Tennessee, beginning at Fort Loudon, about one-half of the northern third of Georgia, and a small triangle in north-east Alabama. In the days of their greatest power their principal towns were along the headwaters of the Savannah, Hiwassee, Tuckasegee and a large part of the Little Tennessee. The latter river rises in a spring in North Carolina, breaks through the Smoky Mountains into Tennessee and empties into the Tennessee River at Lenoir City, Loudon County, on the line of the Southern Railway. Telassee was the last Indian town going up the river before getting to the mountains, and it is the site of the present town of Alcoa, in Blount County, Tennessee, where is located the plant of the Knoxville Power Company.



JOHN ROSS

Principal Chief of the Cherokee Nation thirty eight years. He died in 1866 and is buried at Park Hill, five miles from Tahlequah, Oklahoma.

The crest of the Smoky Mountains is the boundary line between North Carolina and Tennessee and is five thousand feet high and above the timber line. It has peaks 6,000 feet high, and one, Clingman's Dome in North Carolina, 6,619 feet. This range is the boundary of the Cherokee nation in Tennessee, and with it the Cherokees were familiar in all their history, and in it, around it, and about it, were perfectly at home. Beginning with this range, they lived along the full length of the Little Tennessee. We are justified in thinking that the God whom the Hebrews of old said made the world in six days, must have intended that the Smoky Mountains and the Little Tennessee River should be considered twin master-pieces of His handiwork. Connected with no other mountain range in the world is the element of mystery so pronounced as with the Smoky Range—none so impress the beholder with awe and solemnity. We look upon their vast domes and majestic heights and wonder how they came about, and when, and how it was possible that the Little Tennessee cleaved the range in twain, and plowed its way from its initial spring in North Carolina, through Blount, Monroe and Loudon Counties, to its junction with the Tennessee River. In the combat between the mountains and the river—in the struggle of the water to pierce the towering land—there must have been a warfare of countless ages, when the river at last came off conqueror and broke through. Yet how impotent the river looks compared with these vast mountains! As we stand and gaze upon them, the Smokies seem to look down in everlasting silence, as if extending a speechless benediction upon the beautiful river as it wanders along beneath the cold white glory of the East Tennessee stars, with the sheen and glimmer of its waves reflecting the grandeur of the mountains and landscape, and the splendors of a beautiful land. When dusk comes, the Smokies seem so vast, so mysterious, so passing understanding, so typical of infinity, so inscrutable in meaning, with their peaks and crags and towering heights! Who can wonder that the solemn mountains were selected as the place where the Law written upon tablets of stone was handed to Moses! Dread and tireless sentinels telling of Omnipotence and the Infinite, mysterious as life's fathomless mystery! In pondering the Smokies we can but recall Coleridge's "Hymn Before Sunrise in the Valley of Chamouni:"

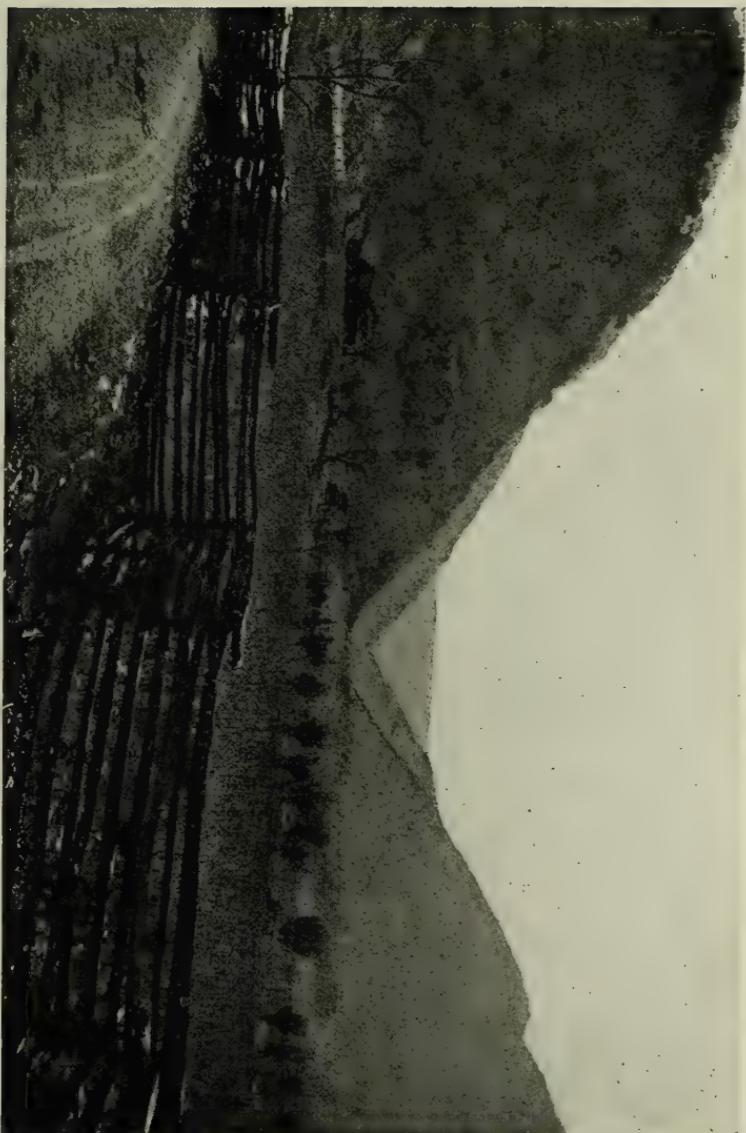
"But thou, most awful Form!
Riseth from forth thy silent sea of pines,
How silently! Around thee and above
Deep in the air and dark, substantial, black,
An ebon mass; methinks thou piercest it
As with a wedge! But when I look again
It is thine own calm home, thy crystal shrine,
Thy habitation from eternity!
O dread and silent Mount! I gazed upon thee,
Till thou, still present to the bodily sense,
Didst vanish from my thought: entranced in prayer
I worshiped the Invisible alone."

The Twelfth Report of the United States Bureau of Ethnology says: "The valley of the Little Tennessee from where it leaves the Smoky Mountains which form the boundary between North Carolina and Tennessee to where it joins the Tennessee River in Loudon County, is undoubtedly the most interesting archaeological section in the entire Appalachian District. The numerous groups of mounds and other ancient works which are found along the valleys of the principal stream and its tributaries appear to be intimately related to one another and are evidently the work of one people."

The government excavations along the entire course of the Little Tennessee from Telassee to the mouth of the river, have opened up mounds which were the burial places for the dead, and in which were found, besides Indian bones, relics of various kinds illustrating Indian customs; and graphic representations, pictures and descriptions of these mounds and their contents are published in the Twelfth Report.

Chota, which was on the south bank of the Little Tennessee, a few miles above the mouth of the Tellico, and between twenty and twenty-five miles from where the Little Tennessee enters the Tennessee River, was the capital of the Cherokee Nation and also a city of refuge. It was in the present Monroe County, Tennessee. Its population is not stated by any of the historians who have written about the Cherokees, but the Ethnological Report quoted says the evidence about it indicates "a somewhat extensive ancient village." Chota being a city of refuge, any person, whether white or red, who had committed a wrong against another, could take refuge in it and be safe from attack, but this exemption did not continue after leaving Chota.

The author was born on the Little Tennessee river, five miles from Chota, and ten miles from Fort Loudon, and he naturally



The Narrows of the Little Tennessee River emerging from the Smoky Mountains. Taken from Illustration in Message of President Roosevelt on Forests, Rivers and Mountains of Southern Appalachian Region.

thinks the Little Tennessee a gem among rivers, a very queen among waters. It glides like a stream of silver towards the sea from its home beyond the Smokies, and by the magic of its moist touch has carried gladness to the land through centuries without number. It does not count the years in its travel, it cannot gauge its measureless beneficence, and is mute in its ever-varying panorama of hills and meadows, lofty crags and blooming fields, glorious landscape and scenic splendor. In the long ago it caught the eye of the stalwart Cherokee and enamored him with its charms, folded him to its bosom, and held him as a devotee on its banks for ages; and he, like his ancestry before him, swore by the Great Spirit that as long as life was in him and he could meet a foe on the battlefield, should mortal power drive him from its sparkling waters. Along these waters the daily life of the Cherokee was exhibited at its best.

Whence the Cherokee came, and when, no voice tells us. All we know is that sometime in the long misty past, he came to this beautiful river, claimed it as his own, and in defense of his habitation along by it, he challenged John Sevier to mortal combat on many a bloody field; and never, until 1838, when he voluntarily left it, was he so crushed that he quailed to offer the gage of battle to Sevier again.

Ferdinand DeSoto made his way in 1540 from the Atlantic Seaboard through Northern Georgia, Alabama and Mississippi, and probably touched Tennessee at the southwest corner of the State, where he discovered the Mississippi River. The historians and archaeologists agree that the "Chelaques" mentioned by the chroniclers of DeSoto's expedition were the Cherokees, and since 1540 it is practically certain that no tribe has ever occupied the Appalachian region except the Cherokees; and, hence, it is also practically certain that the Little Tennessee River and the region through which it flows, have been their fixed and permanent home since 1540 up to the period of their removal by the United States government in 1838—a period of two hundred and ninety-eight years—and how much longer is a matter of conjecture.

On November 19, 1761, a treaty was concluded at the end of a bitter war between the whites and the Cherokees at Great Island in the Holston River, also called Long Island, at the present town of Kingsport, and upon the request of the Cherokee chief that an officer might be sent to the Cherokee country to cement the

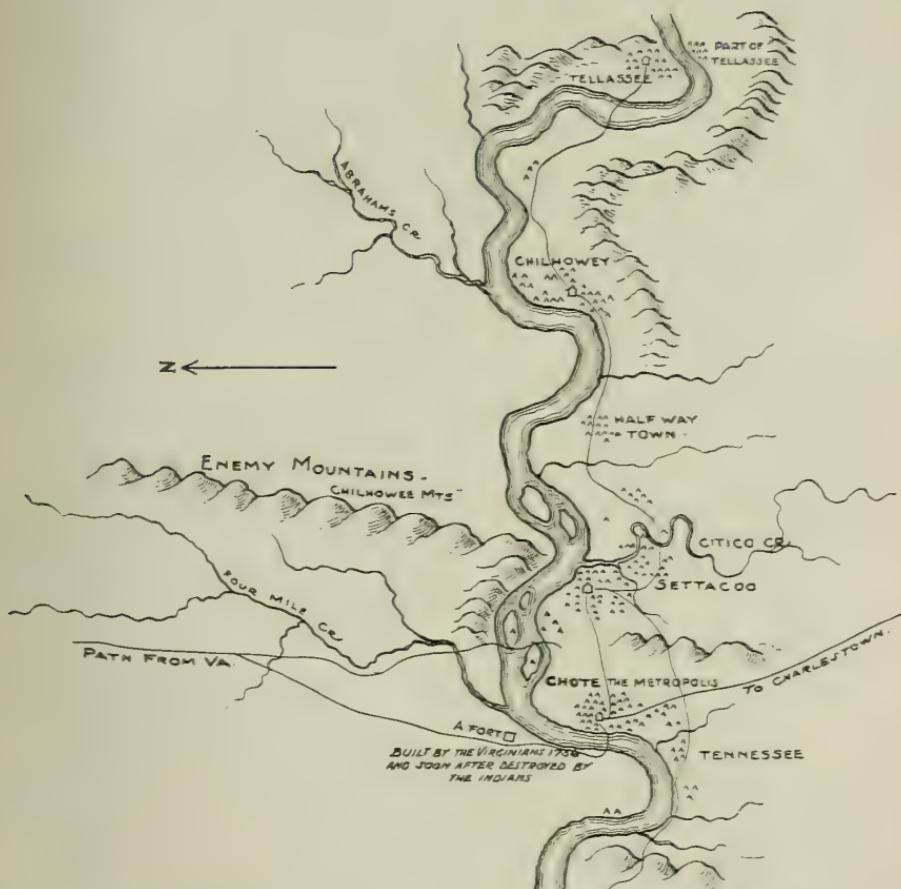
friendship between the two races, Lieutenant Henry Timberlake, a young Virginian in the military service, volunteered to return with the Cherokees to their towns, and to spend several months there. He afterwards accompanied a delegation of Cherokees to England, where they were not received by the government, as they had not come by the authority of the United States government, so they returned home. Lieut. Timberlake published his Memoirs in London, and a part of them was the map in this volume which is an exact copy of the original, and enumerates the different Indian towns and their strength in warriors and the chiefs. Lieut. Timberlake's residence among the Cherokees extended over into the year 1762.

Upon the map the bottom is in the direction of the mouth of the river where it empties into the Tennessee at Lenoir City, and the top at the town marked "Telassee" is in the direction of the Smoky Mountains, the dividing line between North Carolina and Tennessee, and is the last Indian town before getting to the mountains, and is the site of Alcoa, as above mentioned. This map is absolutely authentic, and is republished from Lieut. Timberlake's Memoirs by the United States government in the Twelfth Ethnological Report. The present village of Morgan-
ton is south of Great Island, and between Great Island and Telassee will be found on the map Fort Loudon, Chota, and various other Indian towns.

The Indian policy of the United States was always dictated by a frankly expressed desire to get rid of the Indian, the method of doing so not being considered very important. There was at least one virtue in the land-greed of the white man, which was there was absolutely no hypocrisy or cant in his openly expressed intention to get the Indian's land, and drive the Indian away, no matter where.

In the State of Georgia there was an especial incentive to force the Indians to leave the State, in the compact of 1802 between Georgia and the United States, wherein Georgia ceded to the United States the land now comprising the States of Alabama and Mississippi in return for an obligation on the part of the United States to get title in some way to the Indian lands in Georgia, and turn them over to the State.

In its general aspect the battle for land between the white man and the red man is the same old battle of the strong against the weak, of trained and organized prowess against untrained



A DRAUGHT OF THE CHEROKEE COUNTRY.

ON THE WEST SIDE OF THE TWENTY FOUR MOUNTAINS
COMMONLY CALLED "OVER THE HILLS"
TAKEN BY HENRY TIMBERLAKE WHEN HE
WAS IN THAT COUNTRY IN MARCH 1762
LIME WINE

NAMES OF THE PRINCIPAL OR HEADMEN OF EACH TOWN AND
WHAT NUMBER OF FIGHTING MEN THEY SEND TO WAR.

MIALOQUO OR }
GREAT ISLAND } 24 UNDER THE GOV OF ATTAKULLKULA.

TOSEGEE

55 ATTAKULLKULA GOV -

TOMMOTLEY

91 OFTENACO COM IN

TORUA

82 WILLINAWAW GOV

TENNESSEE

21 UNDER THE GOV OF KANAGATUCKCO MIALOQUO OR

CHOTE

175 KANAGATUCKCO KING & GOV GREAT ISLAND

CHILHOWEE

110 VACHTINO GOV

SETTACOO

204 CHEULAM GOV

TALLASSEE

47 GOV. DEAD

and unorganized children of the forest, of civilization against savagery; and this same battle has been going on ever since two men first wanted the same thing at the same time, which, of course, the stronger man eventually got.

As the white man has come up from savagery, he claims that he has left behind him, as the snake leaves behind its shed skin, the traits, methods and tendencies of his original state; and, in a measure, this is true, but in essence, human nature does not change, and cannot, and the man and woman of five thousand years hence will love and hate, will strive and yield, will be master and vanquished, will be loyal and treacherous, will be fearless and cowardly, will be generous and avaricious, will be noble and pusillanimous, and in every other intrinsic quality, will be just the same as the man and woman of today. Conditions and environment may change and thereby influence human conduct; our mental outlook may be enlarged by science and discovery year after year and thereby our view of the wisest course to take under given circumstances be aided; all the innumerable things that go to make up that vast complexity we call civilization—its vices, crimes, diseases, ideals, splendors, hypocrisies, squalors, weaknesses, aspirations, achievements, great men and great women—may sway us and move us and impress us and inspire us, but we are the same men and women in essential character, after all and everywhere.

The treatment by our Government of the American Indian is a closed chapter in history. The tribal governments have been dissolved, and the members have been merged into the general body of the American people. Our Indian chapter being closed, we have every facility for judging of the conduct of the American people of that day toward the red man, and it must be confessed that that conduct produced the same results as in every age of the world where the stronger and the weaker nations met in combat, the weaker were crushed and demolished. While it is true the United States spent many millions of dollars on the red man, it is also true that the Government's policy was not always straight, above board and honorable. In fact, in the course of the years, for a man to be an Indian Agent was, in effect, to be classified as a swindler and cheat, and the Indian his victim.

It is well for the historical student of to-day to study this closed Indian chapter, and the author knows of no better way to present the Government's side of the matter than through the

messages of the American Presidents to Congress while the Indian problem was in process of solution. This problem began in the administration of Thomas Jefferson, and ended in Martin Van Buren's. The end sought was to transfer all of the Indians east of the Mississippi River to the Indian Territory west of the River, and in that territory to localize the Five Civilized Nations, as they were called; namely, the Creeks, the Cherokees, the Seminoles, the Chickasaws, and the Choctaws. The Indian messages of the Presidents afford profoundly interesting reading, and will repay most careful perusal.

THOMAS JEFFERSON.

As early as 1805, in his message to Congress, Jefferson used this language in reference to the Indian:

"The aboriginal inhabitants of these countries, I have regarded with the commiseration their history inspires. Endowed with the faculties and the rights of men, breathing an ardent love of liberty and independence, and occupying a country which left them no desire but to be undisturbed, the stream of overflowing population from other regions directed itself on these shores. Without power to divert, or habits to contend against it, they have been overwhelmed by the current or driven before it. Now reduced within limits too narrow for the hunter state, humanity enjoins us to teach them agriculture and the domestic arts; to encourage them to that industry, which alone can enable them to maintain their place in existence; and to prepare them in time for that society, which, to bodily comforts, adds the improvement of the mind and morals. We have, therefore, liberally furnished them with the implements of husbandry and household use; we have placed among them instructors in the arts of first necessity; and they are covered with the aegis of the law against aggressors from among ourselves."

JAMES MONROE.

Monroe's messages indicate more certainly than any of the others the idea that the Indian problem had two sides, and we quote a number of extracts, and one entire message, that of March 30, 1824, which impresses one as the fairest of any of the Presidents.

MONROE'S FIRST ANNUAL MESSAGE,
DECEMBER 2, 1817.

"From the Cherokee tribe a tract has been purchased in Georgia and an arrangement made by which, in exchange for

lands beyond the Mississippi, a great part, if not the whole, of land belonging to that tribe eastward of that river in the States of North Carolina, Georgia and Tennessee, and in the Alabama Territory will be acquired. By these acquisitions, and others that may reasonably be expected soon to follow, we shall be enabled to extend our settlements from the inhabited parts of the State of Ohio along Lake Erie into the Michigan Territory, and to connect our settlements by degrees through the State of Indiana and the Illinois Territory to that of Missouri. A similar and equally advantageous effect will soon be produced to the south, through the whole extent of the States and territory which border on the waters emptying into the Mississippi and the Mobile. In this progress, which the rights of nature demand and nothing can prevent, marking a growth rapid and gigantic, it is our duty to make new efforts for the preservation, improvement, and civilization of the native inhabitants. The hunter state can exist only in the vast uncultivated desert. It yields to the more dense and compact form and greater force of civilized population; and of right it ought to yield, for the earth was given to mankind to support the greatest number of which it is capable, and no tribe or people have a right to withhold from the wants of others more than is necessary for their own support and comfort."

MONROE'S SECOND INAUGURAL ADDRESS,
MARCH 5, 1821.

"The care of the Indian tribes within our limits has long been an essential part of our system, but, unfortunately, it has not been executed in a manner to accomplish all the objects intended by it. We have treated them as independent nations, without their having any substantial pretensions to that rank. The distinction has flattered their pride, retarded their improvement, and in many instances paved the way to their destruction. The progress of our settlements westward, supported as they are by a dense population, has constantly driven them back with almost the total sacrifice of the lands which they have been compelled to abandon. They have claims on the magnanimity and, I may add, on the justice of this nation which we must all feel. We should become their real benefactors; we should perform the offices of their Great Father, the endearing title which they emphatically give to the Chief Magistrate of our Union. Their sovereignty over vast territories should cease, in lieu of which the right of soil should be secured to each individual and his posterity in competent portions; and for the territory thus ceded by each tribe some reasonable equivalent should be granted, to be vested in permanent funds for the support of civil government over them and for the education of their children, for their instruction in the arts of husbandry, and to provide sustenance for them until they could provide it for themselves. My earnest hope is that

Congress will digest some plan, founded on these principles, with such improvements as their wisdom may suggest, and carry it in effect as soon as it may be practicable."

MONROE'S SPECIAL INDIAN MESSAGE.

"Washington, March 30, 1824.

"To the Senate and House of Representatives of the United States:

"I transmit to Congress certain papers enumerated in a report from the Secretary of War, relating to the compact between the United States and the State of Georgia entered into in 1802, whereby the latter ceded to the former a portion of the territory then within its limits on the conditions therein specified. By the fourth article of that compact it was stipulated that the United States should at their own expense extinguish for the use of Georgia the Indian title to all lands within the State as soon as it might be done peaceably and on reasonable conditions. These papers show the measures adopted by the Executive of the United States in fulfillment of the several conditions of the compact from its date to the present time, and particularly the negotiations and treaties with the Indian tribes for the extinguishment of their title, with an estimate of the number of acres purchased and sums paid for lands they acquired. They show also the state in which this interesting concern now rests with the Cherokees, one of the tribes within the State, and the inability of the Executive to make any further movement with this tribe without the special sanction of Congress.

"I have full confidence that my predecessors exerted their endeavors to execute this compact in all its parts, of which, indeed, the sums paid and the lands acquired during their respective terms in fulfillment of its several stipulations are a full proof. I have also been animated since I came into this office with the same zeal, from an anxious sense to meet the wishes of the State, and in the hope that by the establishment of these tribes beyond the Mississippi their improvement in civilization, their security and happiness would be promoted. By the paper bearing date on the 30th of January last, which was communicated to the chiefs of the Cherokee Nation in this city, who came to protest against any further appropriations of money for holding treaties with them, the obligation imposed upon the United States by the compact with Georgia to extinguish the Indian title to the right of soil within the State, and the incompatibility with our system of their existence as a distinct community within any State, were expressed with the utmost earnestness. It was proposed to them at the same time to procure and convey to them territory beyond the Mississippi in exchange for that which they hold within the limits of Georgia, or to pay them for it its

value in money. To this proposal their answer, which bears date 11th of February following, gives an unqualified refusal. By this it is manifest that at the present time and in their present temper, they can be removed only by force, to which, should it be deemed proper, the power of the Executive is incompetent.

"I have no hesitation, however, to declare it as my opinion that the Indian title was not affected in the slightest circumstance by the compact with Georgia, and that there is no obligation on the United States to remove the Indians by force. The express stipulation of the compact that when it may be done *peaceably* and on *reasonable* conditions is a full proof that it was the clear and distinct understanding of both parties to it that the Indians had a right to the territory, in the disposal of which they were to be regarded as free agents. An attempt to remove them by force would, in my opinion, be unjust. In the future measures to be adopted in regard to the Indians within our limits, and, in consequence, within the limits of any State, the United States have duties to perform and a character to sustain to which they ought not to be indifferent. At an early period their improvement in the arts of civilized life was made an object with the Government, and that has since been persevered in. This policy was dictated by motives of humanity to the aborigines of the country, and under the firm conviction that the right to adopt and pursue it was equally applicable to all the tribes within our limits.

"My impression is equally strong that it would promote essentially the security and happiness of the tribes within our limits if they could be prevailed on to retire west and north of our States and Territories on lands to be procured for them by the United States, in exchange for those on which they now reside. Surrounded, as they are, and pressed as they will be, on every side by the white population, it will be difficult if not impossible for them, with their kind of government, to sustain order among them. Their interior will be exposed to frequent disturbances to remedy which the interposition of the United States will be indispensable, and thus their government will gradually lose its authority until it is annihilated. In this process the moral character of the tribes will also be lost, since the change will be too rapid to admit their improvement in civilization to enable them to institute and sustain a government founded on our principles, if such a change were compatible, whither with the compact with Georgia or with our general system, or to become members of a State, should any State be willing to adopt them in such numbers, regarding the good order, peace, and tranquility of such State. But all these evils may be avoided if these tribes will consent to remove beyond the limits of our present States and Territories. Lands equally good, and perhaps more fertile, may be procured for them in those quarters. The relations between the United States and such Indians would still be the same.

"Considerations of humanity and benevolence, which have now great weight, would operate in that event with an augmented force, since we should feel sensibly the obligation imposed on us by the accommodation which they thereby afforded us. Placed at ease, as the United States would then be, the improvement of those tribes in civilization and in all the arts and usages of civilized life would become the part of a general system which might be adopted on great consideration, and in which every portion of our Union would then take an equal interest. These views have steadily been pursued by the Executive, and the moneys which have been placed at its disposal have been so applied in the manner best calculated, according to its judgment, to produce this desirable result, as will appear by the documents which accompany the report of the Secretary of War.

"I submit this subject to the consideration of Congress under a high sense of its importance, and of the propriety of an early decision on it. This compact gives a claim to the State which ought to be executed in all its conditions with perfect good faith. In doing this, however, it is the duty of the United States to regard its strict import, and to make no sacrifice of their interest not called for by the compact nor contemplated by either of the parties when it was entered into, nor to commit any breach of right or of humanity in regard to the Indians repugnant to the judgment and revolting to the feelings of the whole American people. I submit the subject to your consideration, in full confidence that you will duly weigh the obligations of the compact with Georgia, its import in all its parts, and the extent to which the United States are bound to go under it. I submit it with equal confidence that you will also weigh the nature of the Indian title to the territory within the limits of any State, with the stipulations in the several treaties with this tribe respecting the territory held by it within the State of Georgia, and decide whether any measure on the part of Congress is called for at the present time, and what such measure shall be if any is deemed expedient.

MONROE'S SECOND SPECIAL INDIAN MESSAGE.

"Washington, January 27, 1825.

"To the Senate and House of Representatives of the United States:

"Being deeply impressed with the opinion that the removal of the Indian tribes from the lands which they now occupy within the limits of the several States and Territories to the country lying westward and northward thereof, within our acknowledged boundaries, is of very high importance to our Union, and may be accomplished on conditions and in a manner to promote the interest and happiness of those tribes, the attention of the government has been long drawn with great solicitude to the subject.

For the removal of the tribes within the limits of the State of Georgia the motive has been peculiarly strong, arising from the compact with that State whereby the United States are bound to extinguish the Indian title to the lands within it whenever it may be done peaceably and on reasonable conditions. In the fulfillment of this compact, I have thought that the United States should act with a generous spirit; that they should omit nothing which should comport with a liberal construction of the instrument and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject I am satisfied that in the discharge of these important duties in regard to both the parties alluded to the United States will have to encounter no conflicting interests with either. On the contrary that the removal of the tribes from the territory which they now inhabit to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well-digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated that in their present state it is impossible to incorporate them in such masses, in any form whatever, into our system. It has also demonstrated with equal certainty that without a timely anticipation of and provision against the dangers to which they are exposed, under causes which it will be difficult, if not impossible, to control, their degradation and extermination will be inevitable.

"The great object to be accomplished is the removal of these tribes to the territory designated on conditions which shall be satisfactory to themselves and honorable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land to which it may consent to remove, and by providing for it there a system of internal government which shall protect their property from invasion, and, by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state. * * * * *

"With a view to this important object I recommend it to Congress to adopt, by solemn declaration, certain fundamental principles in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which the faith of the nation shall be pledged. I recommend it also to Congress to provide by law for the appointment of a suitable number of commissioners who shall, under the direction of the President, be authorized to visit and to explain to the several tribes the objects of the Government, and to make with them, according to their instructions, such arrangements as shall be best calculated to carry those objects into effect. * * * * *

JOHN QUINCY ADAMS' SPECIAL MESSAGE,
FEBRUARY 5, 1827.

"Washington, February 5, 1827.

"To the Senate and House of Representatives of the United States:

"I submit to the consideration of Congress a letter from the agent of the United States with the Creek Indians, who invoke the protection of the Government of the United States in defense of the rights and territory secured to that nation by the treaty concluded at Washington, and ratified on the part of the United States on the 22nd of April last.

"The complaint set forth in this letter that surveyors from Georgia have been employed in surveying lands within the Indian Territory, as secured by that treaty, is authenticated by the information unofficially received from other quarters, and there is reason to believe that one or more of the surveyors have been arrested in their progress by the Indians. Their forbearance, and reliance upon the good faith of the United States, will, it is hoped, avert scenes of violence and blood which there is otherwise too much cause to apprehend will result from these proceedings.

* * * *

"In abstaining at this stage of the proceedings from the application of any military force I have been governed by considerations which will, I trust, meet the concurrence of the Legislature. Among them one of paramount importance has been that these surveys have been attempted, and partly effected, under color of legal authority from the State of Georgia; that the surveyors are, therefore, not to be viewed in the light of individual and solitary transgressors, but as the agents of a sovereign State, acting in obedience to authority which they believed to be binding upon them. Intimations had been given that should they meet with interruption they would at all hazards be sustained by the military force of the State, in which event, if the military force of the Union should have been employed to enforce its violated law, a conflict must have ensued, which would itself have inflicted a wound upon the Union and have presented the aspect of one of these confederated States at war with the rest. Anxious, above all, to avert this state of things, yet at the same time impressed with the deepest conviction of my own duty to take care that the laws shall be executed and the faith of the nation preserved, I have used of the means entrusted to the Executive for the purpose only those which without resorting to military force may vindicate the sanctity of the law by the ordinary agency of the judicial tribunals.

"It ought not, however, to be disguised that the act of the legislature of Georgia, under the construction given to it by the

governor of that State, and the surveys made or attempted by his authority beyond the boundary secured by the treaty of Washington of April last to the Creek Indians, are in direct violation of the supreme law of this land, set forth in a treaty which has received all the sanctions provided by the Constitution which we have been sworn to support and maintain.

"Happily distributed as the sovereign powers of the people of this Union have been between their General and State Governments, their history has already too often presented collisions between these divided authorities with regard to the extent of their respective powers. No instance, however, has hitherto occurred in which this collision has been urged into a conflict of actual force. No other case is known to have happened in which the application of military force by the Government of the Union has been prescribed for the enforcement of a law the violation of which has within any single State been prescribed by a legislative act of the State. In the present instance it is my duty to say that if the legislative and executive authorities of the State of Georgia should persist in acts of encroachment upon the territories secured by a solemn treaty to the Indians, and the laws of the Union remain unaltered, a super-added duty on the Executive of the United States to enforce the laws and fulfill the duties of the nation by all the force committed for that purpose to his charge. That the arm of military force will be resorted to only in the event of the failure of all other expedients provided by the laws, a pledge has been given by the forbearance to employ it at this time. It is submitted to the wisdom of Congress to determine whether any further act of legislation may be necessary or expedient to meet the emergency which these transactions may produce."

ANDREW JACKSON.

Andrew Jackson was an Indian fighter and frankly an Indian hater, and but for his energy and determination it is doubtful if the policy of removal to the Indian Territory would ever have been carried out—at least, not for many years. He sent eight annual messages to Congress, and in each of them he emphasized the policy of localizing the Indians in some territory West of the Mississippi River.

JACKSON'S FIRST ANNUAL MESSAGE,
DECEMBER 8, 1829.

"The condition and ulterior destiny of the Indian tribes, within the limits of some of our States, have become objects of much interest and importance. It has long been the policy of government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy, has, however, been coupled with another, wholly incompatible with its

success. Professing a desire to civilize and settle them, we have, at the same time, lost no opportunity to purchase their lands and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust, and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, government has constantly defeated its own policy, and the Indians, in general, receding further and further to the West, have retained their savage habits. A portion, however, of the southern tribes, having mingled much with the whites, and made some progress in the arts of civilized life, have lately attempted to erect an independent government within the limits of Georgia and Alabama. These States, claiming to be the only sovereigns within their territories, extended their laws over the Indians; which induced the latter to call upon the United States for protection.

"Under these circumstances, the question presented was, whether the general government had a right to sustain those people in their pretensions? The constitution declares, that "no new States shall be formed or erected within the jurisdiction of any other State", without the consent of its legislature. If the general government is not permitted to tolerate the erection of a confederate State within the territory of one of the members of this Union, against her consent, much less could it allow a foreign and independent government to establish itself there. Georgia became a member of the confederacy which eventuated in our federal union, as a sovereign State, always asserting her claim to certain limits; which, having been originally defined in her colonial charter, and subsequently recognized in the treaty of peace, she has ever since continued to enjoy, except as they have been circumscribed by her own voluntary transfer of a portion of her territory to the United States, in the articles of cession of 1802. Alabama was admitted into the Union on the same footing with the original States, with boundaries which were prescribed by Congress. There is no constitutional, conventional, or legal provision, which allows them less power over the Indians within their borders, than is possessed by Maine or New York. Would the people of Maine permit the Penobscot tribe to erect an independent government within their State? and, unless they did, would it not be the duty of the general government to support them in resisting such a measure? Would the people of New York permit each remnant of the Six Nations within her borders, to declare itself an independent people, under the protection of the United States? Could the Indians establish a separate republic on each of their reservations in Ohio? And if they were so disposed, would it be the duty of this government to protect them in the attempt? If the principle involved in the obvious answer to these questions be abandoned, it will follow that the objects of this government are reversed; and that it has become a part of its duty to aid in destroying the States which it was established to protect.

"Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama, that their attempt to establish an independent government would not be countenanced by the Executive of the United States; and advised them to emigrate beyond the Mississippi, or submit to the laws of those States."

"Our conduct toward these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river and from mountain to mountain, until some of the tribes have become extinct and others have left but remnants to preserve for a while their once terrible names. Surrounded by the whites with their arts of civilization, which by destroying the resources of the savage doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee and the Creek. That this fate surely awaits them if they remain within the limits of the States does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new States, whose limits they could control. That step cannot be retraced. A State cannot be dismembered by Congress or restricted in the exercise of her constitutional power. But the people of these States and every State, actuated by feelings of justice and a regard for our national honor, submit to you the interesting question whether something can not be done, consistently with the rights of the States, to preserve this much-injured race.

"As a means of effecting this end I suggest for your consideration the propriety of setting apart an ample district west of the Mississippi, and without the limits of any State or Territory now formed, to be guaranteed to the Indian tribes as long as they shall occupy it, each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization, and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race and to attest the humanity and justice of this Government.

"This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that if they remain within the limits of the States they must be subject to their laws. In return for their

obedience as individuals they will without doubt be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose that in this state of things claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain or passed them in the chase. Submitting to the laws of the States, and receiving like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population."

JACKSON'S SECOND ANNUAL MESSAGE, DECEMBER 6, 1830.

"It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of Congress, and it is believed that their example will induce the remaining tribes also to seek the obvious advantages.

"The consequences of a speedy removal will be important to the United States, to individual States, and to the Indians themselves. The pecuniary advantages which it promises to the Government are the least of its recommendations. It puts an end to all possible danger of collision between the authorities of the General and State Governments on account of the Indians. It will place a dense and civilized population in large tracts of country now occupied by a few savage hunters. By opening the whole territory between Tennessee on the North and Louisiana on the south to the settlement of the whites it will incalculably strengthen the southwestern frontier and render the adjacent States strong enough to repel future invasions without remote aid. It will relieve the whole State of Mississippi and the western part of Alabama of Indian occupancy, and enable those States to advance rapidly in population, wealth and power. It will separate the Indians from immediate contact with settlements of whites; free them from the power of the States; enable them to pursue happiness in their own way and under their own rude institutions; will retard the progress of decay which is lessening their numbers, and perhaps cause them gradually, under the protection of the Government and through the influence of good counsels, to cast off their savage habits and become an interesting, civilized, and Christian community. These consequences, some of them so certain and the rest so probable, make the complete execution of the plan sanctioned by Congress at their last session an object of much solicitude.

"Toward the aborigines of the country no one can indulge a more friendly feeling than myself, or would go further in attempting to reclaim them from their wandering habits and make them a happy, prosperous people. I have endeavored to impress upon

them my own solemn convictions of the duties and powers of the General Government in relation to the State authorities. For the justice of the laws passed by the States within the scope of their reserved powers they are not responsible to this Government. As individuals we may entertain and express our opinions of their acts, but as a Government we have as little right to control them as we have to prescribe laws for other nations.

"With a full understanding of the subject, the Choctaw and the Chickasaw tribes have with great unanimity determined to avail themselves of the liberal offers presented by the act of Congress, and have agreed to remove beyond the Mississippi River. Treaties have been made with them, which in due season will be submitted for consideration. In negotiating these treaties they were made to understand their true condition, and they have preferred maintaining their independence in the Western forests to submitting to the laws of the States in which they now reside. These treaties, being probably the last which will ever be made with them, are characterized by great liberality on the part of the Government. They give the Indians a liberal sum in consideration of their removal, and comfortable subsistence on their arrival at their new homes. If it be their real interest to maintain a separate existence, they will be at liberty to do so without the inconvenience and vexations to which they would unavoidably have been subject in Alabama and Mississippi.

"Humanity has often wept over the fate of the aborigines of this country, and philanthropy has long been busily employed in devising means to avert it, but its progress has never for a moment been arrested, and one by one have many powerful tribes disappeared from the earth. To follow to the tomb the last of his race and to tread on the graves of extinct nations excite melancholy reflections. But true philanthropy reconciles the mind to these vicissitudes as it does to the extinction of one generation to make room for another. In the monuments and fortresses of an unknown people, spread over the extensive regions of the West, we behold the memorials of a once powerful race, which was exterminated or has disappeared to make room for the existing savage tribes. Nor is there anything in this which, upon a comprehensive view of the general interests of the human race, is to be regretted. Philanthropy could not wish to see this continent restored to the condition in which it was found by our forefathers. What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns and prosperous farms, embellished with all the improvements which art can devise or industry execute, occupied by more than 12,000,000 happy people, and filled with all the blessings of liberty, civilization and religion?

"The present policy of the government is but a continuation of the same progressive change by a milder process. The tribes which occupied the countries now constituting the Eastern States

were annihilated or have melted away to make room for the whites. The waves of population and civilization are rolling to the westward, and we now propose to acquire the countries occupied by the red men of the South and West by a fair exchange, and, at the expense of the United States, to send them to a land where their existence may be prolonged and perhaps made perpetual. Doubtless it will be painful to leave the graves of their fathers; but what do they more than their ancestors did or than our children are now doing? To better their condition in an unknown land our forefathers left all that was dear in earthly objects. Our children by thousands yearly leave the land of their birth to seek new homes in distant regions. Does humanity weep at these painful separations from everything, animate and inanimate, with which the young heart has become entwined? Far from it. It is rather a source of joy that our country affords scope where our young population may range unconstrained in body or in mind, developing the power and faculties of man in their highest perfection. These remove hundreds and almost thousands of miles at their own expense, purchase the lands they occupy, and support themselves at their new homes from the moment of their arrival. Can it be cruel in this Government when, by events which it can not control, the Indian is made discontented in his ancient home to purchase his lands, give to him a new and extensive territory, to pay the expense of his removal, and support him a year in his new abode? How many thousands of our own people would gladly embrace the opportunity of removing to the West on such conditions. If the offers made to the Indians were extended to them, they would be hailed with gratitude and joy.

"And is it supposed that the wandering savage has a stronger attachment to his home than the settled, civilized Christian? Is it more afflicting to him to leave the graves of his fathers than it is to our brothers and children? Rightly considered, the policy of the General Government toward the red man is not only liberal, but generous. He is unwilling to submit to the laws of the States and mingle with their population. To save him from this alternative, or perhaps utter annihilation, the General Government kindly offers him a new home, and proposes to pay the whole expense of his removal and settlement."

JACKSON'S THIRD ANNUAL MESSAGE,
DECEMBER 6, 1831.

"It is confidently believed that perseverance for a few years in the present policy of the Government will extinguish the Indian title to all lands lying within the States composing our Federal Union, and remove beyond their limits every Indian who is not willing to submit to their laws. Thus will all conflicting claims to jurisdiction between the States and the Indian tribe be put to rest. It is pleasing to reflect that results so beneficial, not only to the States immediately concerned, but to the harmony of the Union

will have been accomplished by measures equally advantageous to the Indians. What the native savages become when surrounded by a dense population and by mixing with the whites may be seen in the miserable remnants of a few Eastern tribes, deprived of political and civil rights, forbidden to make contracts, and subjected to guardians, dragging out a wretched existence, without excitement, without hope, and almost without thought.

"But the removal of the Indians beyond the limits and jurisdiction of the States does not place them beyond the reach of philanthropic aid and Christian instruction. On the contrary, those whom philanthropy or religion may induce to live among them in their new abode will be more free in the exercise of their benevolent functions than if they had remained within the limits of the States, embarrassed by their internal regulations. Now subject to no control but the superintending agency of the General Government, exercised with the sole view of preserving peace, they may proceed unmolested in the interesting experiment of gradually advancing a community of American Indians from barbarism to the habits and enjoyments of civilized life."

JACKSON'S FOURTH ANNUAL MESSAGE,
DECEMBER 1, 1832.

"I am happy to inform you, that the wise and humane policy of transferring from the eastern to the western side of the Mississippi, the remnants of our aboriginal tribes, with their own consent, and upon just terms, has been steadily pursued, and is approaching, I trust, its consummation. By reference to the report of the Secretary of War, and to the documents submitted with it, you will see the progress which has been made since your last session in the various matters connected with our Indian relations. With one exception, every subject involving any question of conflicting jurisdiction, or of peculiar difficulty, has been happily disposed of, and the conviction evidently gains ground among the Indians, that their removal to the country assigned by the United States for their permanent residence, furnishes the only hope of their ultimate prosperity.

"With that portion of the Cherokees, however, living within the State of Georgia, it has been found impracticable, as yet, to make a satisfactory adjustment. Such was my anxiety to remove all the grounds of complaint, and to bring to a termination the difficulties in which they are involved, that I directed the very liberal propositions to be made to them which accompany the documents herewith submitted. They cannot but have seen in these offers the evidence of the strongest disposition on the part of the government to deal justly and liberally with them. An ample indemnity was offered for their present possessions, a liberal provision for their future support and improvement, and full security for their private and political rights. Whatever difference of opinion may have prevailed respecting the just claims

of these people, there will probably be none respecting the liberality of the propositions, and very little respecting the expediency of their immediate acceptance. They were, however, rejected, and thus the position of these Indians remains unchanged as do the views communicated in my message to the Senate of February 22, 1831."

JACKSON'S FIFTH ANNUAL MESSAGE,
DECEMBER 3, 1833.

"Our relations with the various Indian tribes have been undisturbed since the termination of the difficulties growing out of the hostile aggressions of the Sac and Fox Indians. Several treaties have been formed for the relinquishment of territory to the United States and for the migration of the occupants of the region assigned for their residence west of the Mississippi. Should these treaties be ratified by the Senate, provision will have been made for the removal of almost all the tribes now remaining east of that river and for the termination of many difficult and embarrassing questions arising out of their anomalous political condition. It is to be hoped that those portions of two of the Southern tribes, which in that event will present the only remaining difficulties, will realize the necessity of emigration, and will speedily resort to it. My original convictions upon this subject have been confirmed by the course of events for several years, and experience is every day adding to their strength. That those tribes can not exist surrounded by our settlements and in continual contact with our citizens is certain. They have neither the intelligence, the industry, the moral habits, nor the desire of improvement which are essential to any favorable change in their condition. Established in the midst of another and a superior race, and without appreciating the cause of their inferiority or seeking to control them, they must necessarily yield to the force of circumstances and ere long disappear. Such has been their fate heretofore, and if it is to be averted—and it is—it can only be done by a general removal beyond our boundary and by the reorganization of their political system upon principles adapted to the new relations in which they will be placed. The experiment which has been recently made has so far proved successful. The emigrants generally are represented to be prosperous and contented, the country suitable to their wants and habits, and the essential of subsistence easily procured. When the report of the commissioners now engaged in investigating the condition and prospects of these Indians and in devising a plan for their intercourse and government is received, I trust ample means of information will be in possession of the Government for adjusting all the unsettled questions connected with this interesting subject.

JACKSON'S SIXTH ANNUAL MESSAGE,
DECEMBER 1, 1834.

"No important change has during this season taken place in the condition of the Indians. Arrangements are in progress for the removal of the Creeks, and will soon be for the removal of the Seminoles. I regret that the Cherokees east of the Mississippi have not yet determined as a community to remove. How long the personal causes which have heretofore retarded that ultimately inevitable measure will continue to operate I am unable to conjecture. It is certain, however, that delay will bring with it accumulated evils which will render their condition more and more unpleasant. The experience of every year adds to the conviction that emigration, and that alone, can preserve from destruction the remnant of the tribes yet living amongst us. The facility with which the necessities of life are procured and the treaty stipulation providing aid for the emigrant Indians in their agricultural pursuits and in the important concern of education, and their removal from those causes which have heretofore depressed all and destroyed many of the tribes, can not fail to stimulate their exertions and to reward their industry.

"The two laws passed at the last session of Congress on the subject of Indian affairs have been carried into effect, and detailed instructions for their administration have been given. It will be seen by the estimates for the present session that a great reduction will take place in the expenditures of the Department in consequence of these laws, and there is reason to believe that their operation will be salutary and that the colonization of the Indians on the western frontiers, together with a judicious system of administration, will still further reduce the expenses of this branch of the public service and at the same time promote its usefulness and efficiency."

JACKSON'S SEVENTH ANNUAL MESSAGE,
DECEMBER 7, 1835.

"The plan of removing the aboriginal people who yet remain within the settled portions of the United States to the country west of the Mississippi River approaches its consummation. It was adopted on the most mature consideration of the condition of this race, and ought to be persisted in until the object is accomplished, and prosecuted with as much vigor as a just regard to their circumstances will permit, and as fast as their consent can be obtained. All preceding experiments for the improvement of the Indians have failed. It seems now to be an established fact that they cannot live in contact with a civilized community and prosper. Ages of fruitless endeavors have at length brought us to a knowledge of this principle of intercommunication with them. The past we cannot recall, but the future we can provide for. Independently of the treaty stipulations into which we have entered with the various

tribes for the usufructuary rights they have ceded to us, no one can doubt the moral duty of the United States to protect and if possible to preserve and perpetuate the scattered remnants of this race which are left within our borders. In the discharge of this duty an extensive region in the West has been assigned for their permanent residence. It has been divided into districts and allotted among them. Many have already removed and others are preparing to go, and with the exception of two small bands living in Ohio and Indiana, not exceeding 1,500 persons, and of the Cherokees, all the tribes on the East side of the Mississippi, and extending from Lake Michigan to Florida, have entered into engagements which will lead to their transplantation.

"The plan for their removal and re-establishment is founded upon the knowledge we have gained of their character and habits, and has been dictated by a spirit of enlarged liberality. A territory exceeding in extent that relinquished has been granted to each tribe. Of its climate, fertility, and capacity to support an Indian population the representations are highly favorable. To these districts the Indians are removed at the expense of the United States, and with certain supplies of clothing, arms, ammunition, and other indispensable articles; they are also furnished gratuitously with provisions for the period of a year after their arrival at their new homes. In that time, from the nature of the country and of the products raised by them, they can subsist themselves by agricultural labor, if they choose to resort to that mode of life; if they do not, they are upon the skirts of the great prairies, where countless herds of buffalo roam, and a short time suffices to adapt their own habits to the changes which a change of the animals destined for their food may require. Ample arrangements have also been made for the support of schools; in some instances council houses and churches are to be erected, dwellings constructed for the chiefs, and mills for common use. Funds have been set apart for the maintenance of the poor; the most necessary mechanical arts have been introduced, and blacksmiths, gunsmiths, wheelwrights, millwrights etc., are supported among them. Steel and iron, and sometimes salt, are purchased for them, and plows and other farming utensils, domestic animals, looms, spinning wheels, cards, etc., are presented to them. And besides these beneficial arrangements, annuities are in all cases paid, amounting in some instances to more than \$30 for each individual of the tribe, and in all cases sufficiently great, if justly divided, and prudently expended, to enable them, in addition to their own exertions, to live comfortably. And as a stimulus for exertion, it is now provided by law that 'in all cases of the appointment of interpreters or other persons employed for the benefit of the Indians, a preference shall be given to persons of Indian descent, if such can be found who are properly qualified for the discharge of the duties.'

"Such are the arrangements for physical comfort and for the moral improvement of the Indians. The necessary measures for

their political advancement and for their separation from our citizens have not been neglected. The pledge of the United States has been given by Congress that the country destined for the residence of this people shall be forever "secured and guaranteed to them." A country west of Missouri and Arkansas has been assigned to them, into which the white settlements are not to be pushed. No political communities can be formed in that extensive region, except those which are established by the Indians themselves or by the United States for them and with their concurrence. A barrier has thus been raised for their protection against the encroachment of our citizens, and guarding the Indians as far as possible from those evils which have brought them to their present condition. Summary authority has been given by law to destroy all ardent spirits found in their country, without waiting the doubtful result and slow process of a legal seizure. I consider the absolute and unconditional interdiction of this article among these people as the first and great step in their amelioration. Halfway measures will answer no purpose. These cannot successfully contend against the cupidity of the seller and the overpowering appetite of the buyer. And the destructive effects of the traffic are marked in every page of the history of the Indian intercourse.

"Some general legislation seems necessary for the regulation of the relations which will exist in this new state of things between the Government and people of the United States and these transplanted Indian tribes, and for the establishment among the latter, with their own consent, of some principles of intercommunication, which their juxtaposition will call for, that moral may be substituted for physical force, the authority of a few and simple laws for the tomahawk, and that an end may be put to those bloody wars whose prosecution seems to have made part of their social system.

"After the further details of this arrangement are completed, with a very general supervision over them, they ought to be left to the progress of events. These, I indulge the hope, will secure their prosperity and improvement, and a large portion of the moral debt we owe them will then be paid."

JACKSON'S EIGHTH ANNUAL MESSAGE,
DECEMBER 5, 1836.

"The national policy, founded alike in interest and in humanity so long and so steadily pursued by this government, for the removal of the Indian tribes originally settled on this side of the Mississippi, to the west of that river, may be said to have been consummated by the conclusion of the late treaty with the Cherokees. The measures taken in the execution of that treaty, and in relation to our Indian affairs generally, will fully appear by referring to the accompanying papers. Without dwelling on the numerous and important topics embraced in them, I again invite your attention to the importance of providing a well-digested and comprehensive system of the protection, supervision and im-

provement of the various tribes now planted in the Indian country. The suggestions submitted by the commissioner of Indian affairs, and enforced by the secretary, on this subject, and also in regard to the establishment of additional military posts in the Indian country, are entitled to your profound consideration. Both measures are necessary for the double purpose of protecting the Indians from internal war, and in other respects complying with our engagements to them, and of securing our Western frontier against incursions, which otherwise will assuredly be made on it. The best hopes of humanity, in regard to the aboriginal race, the welfare of our rapidly extending settlements, and the honor of the United States, are all deeply involved in the relations existing between this government and the emigrating tribes. I trust, therefore, that the various matters submitted in the accompanying documents, in respect to these relations will receive your early and mature deliberation; and that it may issue in the adoption of legislative measures adapted to the circumstances and duties of the present crisis."

VAN BUREN'S SECOND ANNUAL MESSAGE,
DECEMBER 3, 1838.

"It affords me sincere pleasure to be able to apprise you of the entire removal of the Cherokee Nation of Indians to their new homes west of the Mississippi. The measures authorized by Congress at its last session with a view to the long-standing controversy with them, have had the happiest effects. By an agreement concluded with them by the commanding general in that country who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

"The successful accomplishment of this important object, the removal, also, of the entire Creek Nation with the exception of a small number of fugitives amongst the Seminoles in Florida, the progress already made toward a speedy completion of the removal of the Chickasaws, the Choctaws, the Pottawatamies, the Ottawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long-established policy of the Government upon the subject of Indian affairs entirely certain. The occasion is therefore deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undeserved reproach which has been cast upon it through several successive Administrations. That a mixed occupancy of the same territory by the white and the red man is incompatible with the safety or happiness of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. Reason and experience have alike demonstrated its impracticability. The bitter fruits of every attempt

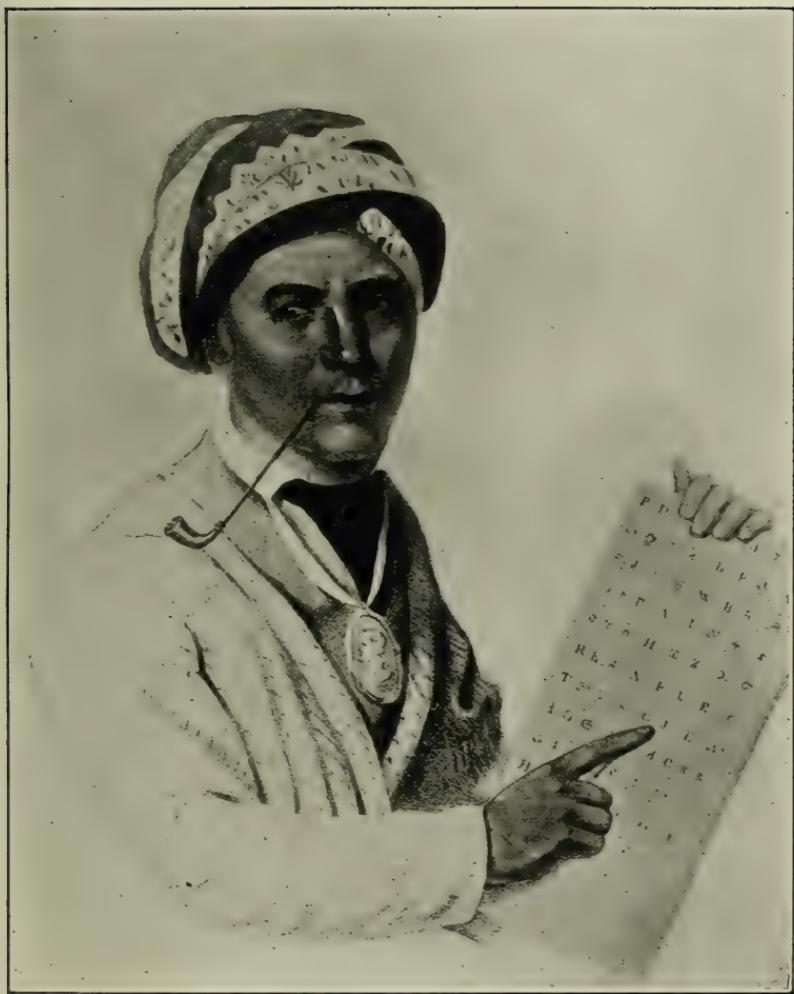
heretofore to overcome the barriers interposed by nature have only been destruction, both physical and moral, to the Indian, dangerous conflicts of authority between Federal and State Governments, and detriment to the individual prosperity of the citizen as well as to the general improvement of the country. The remedial policy, the principles of which were settled more than thirty years ago under the Administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi much more extensive and better adapted to their condition than that on which they then resided; the guarantee to them by the United States of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against external violence and internal dissensions, and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of particular Administrations only, but of each in succession, since the first attempt to carry it out under that of Mr. Monroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has, it is true, from time to time given rise to conflicts of opinion and unjust imputations; but in respect to the wisdom and necessity of the policy itself there has not from the beginning existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian race accustomed to reflection and enlightened by experience.

"Occupying the double character of contractor on its own account and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation. That there occurred in the early settlement of this country, as in all others where the civilized race has succeeded to the possessions of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offenses can, however, be justly charged upon this Government since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds unremitting; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages may challenge at least a comparison with any nation, ancient or modern, in similar circumstances; and if in future times a powerful, civilized and happy nation of Indians shall be found to exist within the limits of this northern continent it will be owing to the consummation of that policy which has been so unjustly assailed."

CHAPTER 12.

Cherokees—History Leading to Great Removal— Cherokee Memorial to Congress.

The United States Government at no time prior to the Great Removal under the Treaty of New Echota, ceased its agitation for the Cherokee emigration, but the practical results were not great. The first real success, and one which divided the Cherokees and marked the beginning of the end of their residence east of the Mississippi, was the treaty concluded July 8, 1817, held at the Cherokee Agency in the Cherokee Nation between Major General Andrew Jackson, Governor Joseph McMinn, of Tennessee, and General David Merriweather of the United States Army, and the chiefs of the Cherokees, and John D. Chisholm and James Rogers, attorneys in fact of the Cherokees on the Arkansas River. Under this treaty the emigration began, and in 1819 it was estimated at six thousand, but a large majority of the eastern Cherokees declined to leave the homes and haunts of their fathers. But even among those who refused to emigrate, there arose two factions, which were to continue with increasing bitterness until the removal of them all was finally accomplished in 1838. The history of the Cherokees from the date of this treaty, 1817, was nothing but a story of strife among themselves and with the Government upon the one subject of removal, and the reader would hardly be entertained or instructed by the details of the activities of all parties interested for the next twenty years. "Removal" divided political parties and the people of the United States, as well as the Cherokees, and many able and eloquent speeches were made in Congress and in public meetings upon the subject, and it was discussed from one end of the country to the other. Indicative of the tenacious opinion of the Cherokees that they were in fact and by right a separate and independent nationality, at a general convention of delegates held at New Echota in the Cherokee Nation on July 26th, 1827, a National Constitution was adopted, based upon the nationality and independence of the Cherokees. This, of course, was merely adding fuel to the wrath



SEQUOYAH, A CHEROKEE
Inventor of the Cherokee Alphabet.

of the Georgians who were so embittered against them, and were so determined to oust them from their State, that the Georgia State Government notified the United States Government that if the latter did not live up to its alleged contract of 1802, and remove the Cherokees from the State, that the Georgia Government would undertake the removal, let the consequences be what they might. The reader of 1920 will appreciate the vast difference between the condition of affairs in that day and this. The Federal Government of that day was not strong, and the old ideas of state rights and state sovereignty were rooted in the minds of the people of Georgia. In this day, a state would be considered mentally unbalanced that would make the threat to the United States Government that Georgia made in the Indian controversy. Jackson was President of the United States; he favored the removal of the Indians, and, hence, he did not view the threat of Georgia to take matters in its own hands as he did that of the nullifiers of South Carolina at a later date, which brought from him the greatest state paper he ever gave to the American people, and which in courteous phraseology notified the nullifiers of South Carolina of the results they might expect should they attempt to set aside and nullify the United States law.

POSITION OF THE STATE OF GEORGIA.

The Georgia Senate and House of Representatives on December 27, 1827, adopted a report and resolutions in reference to Georgia, the United States Government, and the Cherokees, which were approved by the Governor of the State and were sent to President John Quincy Adams at Washington, and by him transmitted to the House of Representatives in response to a resolution offered by Mr. Wilde of Georgia. The report and resolutions follow:

"Before Georgia became a party to the articles of agreement and cession, (of 1802) she could rightfully have possessed herself of those lands, either by negotiation with the Indians or by force; and she had determined to do so; but by this contract she made it the duty of the United States to sustain the expense of obtaining for her the possession, provided it could be done upon reasonable terms, and by negotiation. But in case it should become necessary to resort to force, this contract with the United States makes no provision; the consequence is, that Georgia is left untrammeled, at full liberty to prosecute her rights in that point of view, according to her own discretion, and as though no contract had been made. Your committee, therefore, arrive at this conclusion, that,

anterior to the revolutionary war the lands in question belonged to Great Britain; that the right of sovereignty, both as to dominion and empire, was complete and perfect in her; that the possession of the Indians was permissive; that they were mere tenants at will; and that such tenancy might have been determined at any moment, either by negotiation or force, at the pleasure of Great Britain; that, upon the termination of the revolutionary war, and by the treaty of peace, Georgia assumed all the rights and powers in relation to the lands and Indians in question, which theretofore belonged to Great Britain; that since that time she has not divested herself of any right or power in relation to the lands now in question, further than she has in relation to all the balance of her territory; and that she is now at full liberty, and has the power and right to possess herself, by any means she may choose to employ, of the lands in dispute, and to extend over them the absolute title to the lands in controversy in Georgia, and that she may rightfully possess herself of them, when and by what means she pleases; yet they would not recommend an exercise of that right till all other means fail. We are aware that the Cherokee Indians talk extravagantly of their devotion to the land of their fathers, and of their attachment to their homes; and that they have gone very far towards convincing the general government that negotiation with them with the view of procuring their relinquishment of title to the Georgia lands will be hopeless; yet we do confidently believe that they have been induced to assume this lofty bearing by the protection and encouragement which have been afforded them by the United States, and that they will speak a totally different language if the general government will change its policy towards them, and apprise them of the nature and extent of the Georgia title to their lands, and what will be the probable consequence of their remaining refractory.

"Your committee would recommend that one other, and the last appeal, be made to the general government, with a view to open a negotiation with the Cherokee Indians upon the subject; that the United States do instruct their commissioners to submit this report to the said Indians; that if no such negotiation is opened, or if it is, and proves to be unsuccessful, that then the next Legislature is recommended to take into consideration the propriety of using the most effectual measures for taking possession of and extending our authority and laws over the whole of the lands in controversy. Your committee, in the true spirit of liberality, and for the purpose alone of avoiding any difficulty or misunderstanding, with either the general government or the Cherokee Indians, would recommend to the people of Georgia to accept any treaty that may be made between the United States and those Indians, securing to this State so much of the lands in question as may remain, after making reserves for a term of years, for life, or forever, in fee simple, to the use of particular Indians,

not to exceed, in the aggregate, one sixth part of the whole territory. But, if all this will not do; if the United States will not redeem her pledged honor; and if the Indians continue to turn a deaf ear to the voice of reason and friendship; we now solemnly warn them of the consequences. The lands in question belong to Georgia—she must and she will have them. Influenced by the foregoing considerations, your committee beg leave to offer the following resolutions:

"Resolved, That the United States, in failing to procure the lands in controversy as early as the same could be done upon peaceable and reasonable terms, have palpably violated their contract with Georgia, and are now bound, at all hazards, and without regard to terms, to procure said lands for the use of Georgia.

"Resolved, That the policy which has been pursued by the United States towards the Cherokee Indians has not been in good faith towards Georgia; and as all the difficulties which now exist to an extinguishment of the Indian title have resulted from the acts of policy of the United States, it would be unjust and dishonorable in them to take shelter behind these difficulties.

"Resolved, That all the lands, appropriated and unappropriated, within the conventional limits of Georgia belong to her absolutely; that the title is in her; that the Indians are tenants at her will; that she may, at any time she pleases determine that tenance by taking possession of the premises; and that Georgia has the right to extend her authority and laws over the whole territory, and to coerce obedience to them from all descriptions of people, be they white, red or black, within her limits."

THE ACT OF CONGRESS OF MAY 28, 1830

On May 28th, 1830, Congress passed an Act authorizing the President to exchange acre for acre lands west of the Mississippi River for Indian lands east of that river, and containing a number of details unnecessary here to be set out. This Act was debated in both the House of Representatives and the Senate during the months of April and May, 1830, and the debate was characteristically bitter and aggressive, as were Indian debates generally. Some very able speeches were made, and as specimens of the parliamentary eloquence of that day, and of the state of public feeling, we give extracts from the speeches of the Honorable Peleg Sprague, Senator from Maine, on April 16, 1830; Honorable George Evans, Representative of Maine, on May 18, 1830; Honorable Isaac C. Bates, Representative of Massachusetts, May 19, 1830; and the Honorable Edward Everett, Representative from Massachusetts on May 19, 1830.

SENATOR PELEG SPRAGUE OF MAINE.

"If, Sir, in order to become a politician, it be necessary to divest the mind of the principles of good faith and moral obligation, and harden the heart against every touch of humanity, I confess that I am not, and, by the blessing of Heaven, will never be a politician.

"Sir, we cannot wholly silence the monitor within. It may not be heard amidst the clashings of the arena; in the tempest and convulsions of political contentions; but its 'still small voice' will speak to us—when we meditate alone at even tide; in the silent watches of the night; when we lie down and when we rise up from a solitary pillow; and in that dread hour when—not what we have done for ourselves, but what we have done for others,' will be our joy and our strength; when—to have secured, even to the poor and despised Indian, a spot of earth upon which to rest his aching head, to have given him but a cup of cold water in charity—will be greater treasure than to have been the conquerors of kingdoms, and lived in luxury upon their spoils."

REPRESENTATIVE GEORGE EVANS OF MAINE.

"The honorable gentleman from Georgia (Mr. Lumpkin) has anticipated a period, when it will be odious to be known as an advocate of the Indian rights. I know not what pretensions the gentleman possesses to the power of augury—but, in my estimation, he has consulted the stars to very little purpose, if such be the lessons they read him. Before that period shall arrive, you must burn all the records of the government—destroy the history of the country—pervert the moral sense of the community—make injustice and oppression virtues—and breach of national faith honorable; and then, but not till then, will the visions of the gentleman assume the form of realities. Sir, if I could hope, as I surely cannot, that any feeble efforts of mine, would outlive the brief hour which gave them existence—if I could give perpetuity to anything I can say or do—there is no occasion I should covet more than that which I now possess. If I could look forward, as I certainly do not, to a long life of public service—to honors and distinctions—I would forego all for the power to roll back the tide of desolation, which is about to overwhelm these hapless sons of the forest. If I could stand up between the weak, the friendless, the deserted, and the strong arm of oppression, and successfully vindicate their rights, and shield them in their hour of adversity, I should have achieved honor enough to satisfy even an exorbitant ambition; and I should leave it as a legacy to my children, more valuable than uncounted gold—more honorable than imperial power.

"Sir, the crisis in the fate of these people has arrived. The responsibility is upon us—upon us as a House, and upon each of us as individuals. The Indians make their last appeal here.



FROM NATIONAL PORTRAIT GALLERY, NEW YORK, 1861.

HONORABLE EDWARD EVERETT

Governor of Massachusetts, Senator and Representative in Congress, and a defeated candidate for Vice President of the United States in 1860 on the Bell and Everett ticket.

All other sources of protection have failed. It remains with us to decide whether they return in joy and hope, or in sorrow and despair. Shall we listen to their cry? If we do not, then is their sun about to set, it may be in blood and in tears. Then, indeed, will all human means have failed, and, deserted and abandoned by our government, which had solemnly sworn to protect them, they are commended, O God, to thy sovereign mercy."

REPRESENTATIVE ISAAC C. BATES OF MASSACHUSETTS.

"Sir, your decision upon this subject is not to be rolled up in the scroll of your journal, and forgotten. The transaction of this day, with the events it will give rise to, will stand out upon the canvas in all future delineations of this quarter of the globe, putting your deeds of glory in the shade. You will see it everywhere—on the page of history, in the essay of the moralist, in the tract of the jurist. You will see it in the vision of the poet; you will feel it in the sting of the satirist; you will encounter it in the indignant frown of the friend of liberty and the rights of man, wherever despotism has not subdued to its dominion the very look. You will meet it upon the state; you will read it in the novel, and the eyes of your children's children, throughout all generations, will gush with tears as they run over the story, unless the oblivion of another age of darkness should come over the world, and blot out the record and the memory of it. And, Sir, you will meet it at the bar above. The Cherokees, if they are men, cannot submit to such laws and such degradation. They must go. Urged by such persuasion, they must consent to go. If you will not interfere in their behalf, the result is inevitable—the object will be accomplished. When the Cherokee takes his last look of the cabin he has reared—of the field he has cultivated—of the mound that covers the ashes of his fathers for unknown generations, and of his family and friends, and leaves all to be desecrated by the greedy and obtrusive borderer—Sir, I will not venture upon a description of this scene of a nation's exit and exile. I will only say—I would not encounter the secret silent prayer that should be breathed from the heart of one of these sufferers, armed with the energy that faith and hope would give it, if there be a God that avenges the wrongs of the injured, for all the land the sun has looked upon. These children of nature will go to the stake, and bid you strike without the motion of a muscle; but if they can bear this; if they have reduced whatever there is of earth about them, to such a subjection to the spirit within, as to bear this, we are the men to go into the wilderness, and leave them here as our betters."

REPRESENTATIVE EDWARD EVERETT OF MASSACHUSETTS.

"I say again, then, that legal force is the most efficient and formidable that can be applied. It is systematic, it is calculated

and measured to effect its end. The sovereign power sits calmly in its council chamber, and shapes its measures most effectively to the desired object. Actual physical force is either tumultuary, as that of the mob, and, of consequence, transitory; or it is that of the military arm of the government, which, from the nature of things, is put forth only at a crisis, and to meet the exigency of an occasion. But force embodied in the form of law, a compulsory legislation, a code beneath which I cannot live, a duress which surrounds me, and pursues me, whithersoever I travel, wherever I abide; ever acting by day, ever watchful by night, coextensive with the land in which I live; Sir, I submit to this Congress of reasonable men, that it is the most effectual, and the most appalling form in which force can be applied; the most disheartening. All other force awakens a manly courage of resistance. But this deadly influence of an unfriendly legislation; this cold, averted eye of a government which has checks and restraints for you, but no encouragements nor hopes, which is intended to depress harass, and prostrate you, beneath which you feel you cannot live, and which drives you as an outcast from your native land; this is the force which every freeman would most deprecate.

"Sir, I acknowledge my mind has been strangely confounded by the propositions laid down by the executive government, and those who support its policy towards the Indians. I am ready to think that they or I have lost sight of the ordinary significance of terms. I had supposed the general idea of the nature of law was settled in the common agreement of mankind. Sages, when they attempted to describe it in its highest conception, had told us that its seat was the bosom of God, and its voice the harmony of the world. I had been taught to reverence the law as a sort of earthly Providence; as the great popular sovereign; the mild dictator, whose province it was to see that not a single subject of its sway received harm. With these conceptions, how can I understand it, when I hear that the Indians claim to be protected against the laws of the States? Protected against the laws. I thought it was the object of the law to protect every good man from all harm whatever, and even to visit on the bad man only the specific penalty of his proven offence. But protection against the law; protection against the protector. Sir, I cannot understand it; it is incongruous. It confounds my faculties. There must be fatal mischief concealed in so strange a contradiction of language.

"The Cherokees addressed a memorial to the House of Representatives and in this paper they say:

"The Cherokees are informed on the situation of the country west of the Mississippi River. And there is not a spot out of the limits of any of the States that they would ever consent to inhabit, because they have unequivocally determined never again to pursue the chase as heretofore, or to engage in wars, unless by the special call of the government, to defend the common

rights of the United States. As a removal to the barren waste bordering on the Rocky Mountains, where water and timber are scarcely to be seen, could be for no other object or inducement than to pursue the buffalo, and to wage war with the uncultivated Indians in that hemisphere, imposing facts speak from the experience which has been so repeatedly realized, that such a state of things would be the result were they to emigrate. But such an event will never take place. The Cherokees have turned their attention to the pursuits of the civilized man. Agriculture, manufactures, the mechanic arts, and education are all in successful operation in the nation at this time; and whilst the Cherokees are peacefully endeavoring to enjoy their blessings of civilization and Christianity on the soil of their rightful inheritance; and while the exertions and labors of various religious societies of these United States are successfully engaged in promulgating to them the word of truth and life, from the sacred volume of holy writ, and under the patronage of the general government, they are threatened with removal or extinction. The subject is now before your honorable body for a decision. We appeal to the magnanimity of the American Congress for justice, and the protection of the rights, liberties and lives of the Cherokee people. We claim it from the United States, by the strongest obligations, imposed on them by treaties; and we expect it from them under that memorable declaration, "that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among them are life, liberty and the pursuit of happiness.

"This is the effect, whatever be the provisions of the bill. But let us, Mr. Speaker, contemplate it more closely. What is, in the general, the necessary character of a measure like this, a forced removal of whole tribes of Indians from their native districts to a distant wilderness? I will give it, Sir, not in my own language, but in that of the President of the United States, at the commencement of the session:

"The condition and ulterior destiny of the Indian tribes within the limits of some of our States, have become objects of much interest and importance. It has long been the policy of government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another wholly incompatible with its success. Professing a desire to civilize and settle them, we have, at the same time, lost no opportunity to purchase their lands, and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look on us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, government has constantly defeated its own policy; and the Indians, in general, receding further and further to the west, have retained their savage habits."

Here Mr. Everett read "a Statistical Table, exhibiting the population of the Cherokee Nation, as enumerated in 1824, agreeably to a resolution of the Legislative Council; also, of property, etc., as stated;" from which it appeared that the population was 15,560, including 1,277 negroes; and that there were "18 schools in the nation, and 314 scholars of both sexes, 36 grist-mills, 13 saw-mills, 762 looms, 2,486 spinning wheels, 172 wagons, 2,923 ploughs, 7,683 horses, 22,531 black cattle, 46,732 swine, 2,566 sheep, 430 goats, 62 blacksmiths' shops, 9 stores, 2 tan-yards, and 1 powder mill, besides many other items not enumerated; and there are several public roads, and ferries, and turnpikes, in the nation."

In the course of the discussion on the Act of May 28, 1830, the champions of the Cherokees frequently quoted an extract from an official report of General Clark, Superintendent of Indian Affairs, dated March 1, 1816.

REPORT OF GENERAL CLARK.

"The condition of many tribes west of the Mississippi is the most pitiable that can be imagined. During several seasons in every year they are distressed by famine, in which many die for want of food; and during which the living child is often buried with the dead mother, because no one can spare it as much food as would sustain it through its helpless infancy. This description applies to Sioux, Osage, and many others. But I mention those because they are powerful tribes, and live near our borders, and my official station enables me to know the exact truth. It is in vain to talk to people in this condition about learning and religion."

The Cherokee champions also quoted freely extracts from a letter from Rev. S. A. Worcester to William S. Coodey, one of the Cherokee deputation at Washington, dated March 15, 1830, at Echota, in the Indian Country.

S. A. WORCESTER TO WM. S. COODEY.

"It was four years last October since I came to the nation, during which time I have made it my home, having resided two years at Brainerd, and the remainder of the time at this place. Though I have not spent very much time traveling, yet I have visited almost every part of the nation except a section on the northeast. Two annual sessions of the General Council have passed while I have been residing at the seat of the government, at which times a great number of the people of all classes, and from all parts, are to be seen. * * * * *

"The present principal chief is about forty years of age. When he was a boy his father procured him a suit of clothes in the fashion of the sons of civilized people; but he was so ridiculed by his mates as a white boy, that he took off his new suit and refused to wear it. The editor of the Cherokee Phoenix is twenty-seven years old. He well remembers that he felt awkward and ashamed of his singularity, when he began to wear the dress of a white boy. Now, every boy is proud of a civilized suit, and those feel awkward and ashamed of their singularity, who are destitute of it. At the last session of the General Council, I scarcely recollect having seen any members who were not clothed in the same manner as the white inhabitants of the neighboring States; and those very few (I am informed that the precise number was four) who were partially clothed in Indian style were, nevertheless, very decently attired. The dress of civilized people is general throughout the nation. I have seen, I believe, only one Cherokee woman, and she an aged woman, away from her home, who was not clothed in at least a decent long gown; at home, only one, a very aged woman, who appeared willing to be seen in original native dress; three or four only, who had at their own houses dressed themselves in Indian style, but hid themselves with shame at the approach of a stranger. I am thus particular, because particularity gives more accurate ideas than general statements. Among the elderly men there is yet a considerable portion, I dare not say whether a majority or a minority, who retain the Indian dress in part. The younger men almost all dress like the whites around them, except that the greater number wear a turban, instead of a hat, and in cold weather a blanket frequently serves for a coat. Cloaks, however, are becoming common. There yet remains room for improvement in dress, but that improvement is making with surprising rapidity.

"The arts of spinning and weaving, the Cherokee women, generally, put in practice. Most of their garments are of their own fields, though considerable northern domestic, and much calico is worn, nor is silk uncommon. Numbers of the men wear imported cloths, broadcloths, etc., and many wear mixed cotton and wool, the manufacture of their wives; but the greater part are clothed principally in cotton.

"Except in the arts of spinning and weaving, but little progress has been made in manufactures. A few Cherokees, however, are mechanics.

"Agriculture is the principal employment and support of the people. It is the dependence of almost every family. As to the wandering part of the people, who live by the chase, if they are to be found in the nation, I certainly have not found them, nor even heard of them, except from the floor of congress and other distant sources of information. I do not know of a single family who depend, in any considerable degree, on game for a support. It is true that deer and turkeys are frequently killed, but not in suffi-

cient numbers to form any dependence as the means of subsistence. The land is cultivated with very different degrees of skill. * *

"As to education, the number who can read and write English is considerable, though it bears but a moderate proportion to the whole population. Among such, the degree of improvement and intelligence is various. The Cherokee language, as far as I can judge, is read and written by a large majority of those between childhood and middle age. Only a few who are much beyond middle age have learned.

"In regard to the progress of religion, I cannot, I suppose, do better than to state as nearly as I am able, the number of members in the churches of the several denominations. The whole number of native members of the Presbyterian Churches is not far from 180. In the churches of the United Brethren are about 54. In the Baptist Churches, I do not know the number, probably as many as 50. The Methodists, I believe, reckon in society more than 800; of whom I suppose the greater part are natives. Many of the heathenish customs of the people have gone entirely, or almost entirely, into disuse, and others are fast following their steps. I believe the greater part of the people acknowledge the Christian religion to be the true religion, although many who make this acknowledgment know very little of that religion; and many others do not feel its power. Through the blessing of our God, however, religion is steadily gaining ground."

The reader will bear in mind that this testimony of Mr. Worcester was given in 1830.

Eight years before in February, 1822, the House of Representatives called on the President for information in reference to the conditions of the Indian tribes and this correspondence ensued:

CONDITION OF THE SEVERAL INDIAN TRIBES.

"Washington, February 15, 1822.

"To the House of Representatives:

"In compliance with a resolution of the House of Representatives 'requesting the President of the United States to cause to be laid before this House any information which he may have of the condition of the several Indian tribes within the United States, and the progress of the measures hitherto devised and pursued for their civilization,' I now transmit a report from the Secretary of War.

"JAMES MONROE."

CALHOUN, SECRETARY OF WAR TO THE PRESIDENT.

"Department of War, February 8, 1822.

"The Secretary of War, to whom was referred the resolution of the House of Representatives 'requesting the President of the United States to cause to be laid before this House any infor-

mation which he may have of the condition of the several Indian tribes within the United States, and the progress of the measures hitherto devised and pursued for their civilization' has the honor to transmit the enclosed table, (marked A), containing the number of schools established under the patronage of the Government within the Indian country; the number of scholars in each; the time of their commencement, where fixed, and by whom established; with remarks on their progress, present condition, &c. By reference to the table it will appear that there are eleven principal schools, with three subordinate ones in actual operation; and that three are in a state of preparation; and that the numbers of scholars at the last return at the principal and subordinate schools amounted to five hundred and eight. On these schools there has been expended \$15,827.56, of which \$7,447.56 has been on account of buildings, and the balance, \$8,380 on account of the expense of tuition. It is made a condition of the subscription on the part of the Government that the schools should be established within the Indian country, and that the system of education, in addition to reading, writing, and arithmetic, should for the boys, embrace instruction in agriculture and the ordinary mechanic arts, and, for the girls, the common domestic industry of that sex.

"It was thought advisable, at the commencement of the system, to proceed with caution, and to enlarge the sphere of operation as experience should indicate the proper measures to be adopted, by which a useless expenditure of public money would be avoided, and the system adopted for the civilization of the Indians have the fairest trial. Experience has thus far justified those which have been adopted; and it is accordingly intended to give this year a greater activity to the funds, of which a larger portion may be applied to tuition, the necessary buildings at so many points having already been erected.

"Whether the system which has been adopted by the Government, if persevered in, will ultimately bring the Indians within the pale of civilization, can only be determined by time. It has been in operation too short a period to pronounce with certainty on the result. The present generation, which cannot be affected greatly by it, must pass away, and those who have been reared under the present system of education must succeed them, before its effects can be fully tested. As far, however, as civilization may depend on education only, without taking into consideration the force of circumstances, it would seem that there is no insuperable difficulty in effecting the benevolent intention of the Government. It may be affirmed, almost without qualification, that all of the tribes within our settlements and near our borders are even solicitous for the education of their children. With the exception of the Creeks, they have everywhere freely and cheerfully assented to the establishment of schools, to which, in some instances, they have contributed. The Choctaws, in this respect,

have evinced the most liberal spirit, having set aside \$6,000 of their annuity in aid of the schools established among them. The reports of the teachers are almost uniformly favorable, both as to the capacity and docility of their youths. Their progress appears to be quite equal to that of white children of the same age, and they appear to be equally susceptible of acquiring habits of industry. At some of the establishments a considerable portion of the supplies are raised by the labor of the scholars and teachers.

"With these indications, it would seem that there is little hazard in pronouncing that, with proper and vigorous efforts, they may receive an education equal to that of the laboring portion of our community. Still, however, the interesting inquiry remains to be solved, whether such an education would lead them to that state of morality, civilization and happiness, to which it is the desire of the Government to bring them; or whether there is not something in their situation which presents insuperable obstacles to such a state? To answer this inquiry, we have but little experience. There is certainly much encouragement to hope for the best, from the fact that the Cherokee nation, which has made the greatest progress in education, has also made the greatest towards this desirable state; but the experience which it affords is yet imperfect. They have adopted some written provisions for their government, to a copy of which, with an extract of a letter from the Rev. Mr. Steiner, a respectable Moravian, who has visited the nation at the interval of twenty years, and states the progress which they have made in that time, and which accompanies this report, (marked B), I would respectfully refer the House, as furnishing the best testimony of the actual progress which that nation has made towards civilization. The zeal of the Cherokees for improvement, and the progress which they have made, are further evinced from the liberal provision for a school fund, for which the last treaty with them, ratified on the 10th of March, 1819, stipulates; and the fact that there are now established in the nation six schools, (two of which are upon the Lancasterian system), containing in the aggregate about two hundred and sixty scholars. Notwithstanding these favorable appearances, many obstacles, difficult to be surmounted, will impede the progress of the Indians to a state of complete civilization. * * *

"Before I conclude, I would respectfully refer the House of Representatives for more full and detailed information in relation to the progress made by the Indians in civilization, to the report of the Rev. Doctor Morse, which was laid before the House in pursuance of a resolution of the 22 January last.

"All of which is respectfully submitted.

"J. C. CALHOUN."

In January, 1834, a Cherokee delegation went to Washington to attempt a conciliation of the situation. Andrew Ross seems to have been the head of the delegation favorable to removal,

but his following was small in the tribe. John Ross, the regularly elected chief of the Cherokees, appeared also in Washington, backed up by a petition alleged to have been signed by more than thirteen thousand Cherokees against the negotiation of the treaty proposed by Andrew Ross. But the Government, always favorable to removal, continued the negotiations, and the treaty was concluded on the 19th day of June, 1834, but failed of ratification by the United States Senate, and nothing came of it.

While the negotiations for this treaty were in progress, and before they were concluded, John Ross and his delegation, seeing that the Government authorities were favorable to Andrew Ross, filed with the Government on May 17th, 1834, a protest against the treaty, which we here present with the remark that while the Indian has given to the world some fine examples of impassioned eloquence, this protest, though not the warmest type of passionate Indian oratory, is as a document intended to persuade a parliamentary body, one that will compare with the best from the white race.

CHEROKEE MEMORIAL TO CONGRESS.

"The memorial of the Cherokee Nation respectfully showeth, that they approach your honorable bodies as the representatives of the people of the United States, intrusted by them under the Constitution with the exercise of their sovereign power, to ask for protection of the rights of your memorialists and redress of their grievances.

"They respectfully represent that their rights, being stipulated by numerous solemn treaties, which guaranteed to them protection, and guarded as they supposed by laws enacted by Congress, they had hoped that the approach of danger would be prevented by the interposition of the power of Executive charged with the execution of treaties and laws; and that when their rights should come in question they would be finally and authoritatively decided by the judiciary, whose decrees it would be the duty of the Executive to see carried into effect. For many years these their just hopes were not disappointed.

"The public faith of the United States, solemnly pledged to them, was duly kept in form and substance. Happy under the parental guardianship of the United States, they applied themselves assiduously and successfully to learn the lessons of civilization and peace, which, in the prosecution of a humane and Christian policy, the United States caused to be taught them. Of the advances they have made under the influence of this benevolent system, they might a few years ago have been tempted to speak with pride and satisfaction and with grateful hearts to those who have been their instructors. They could have pointed

with pleasure to the houses they had built, the improvements they had made, the fields they were cultivating; they could have exhibited their domestic establishments, and shown how from wandering in the forest many of them had become the heads of families, with fixed habitations, each the center of a domestic circle like that which forms the happiness of civilized man. They could have shown, too, how the arts of industry, human knowledge, and letters had been introduced amongst them, and how the highest of all the knowledge had come to bless them, teaching them to know and to worship the Christian God, bowing down to Him at the same seasons and in the same spirit with millions of His creatures who inhabit Christendom, and with them embracing the hopes and promises of the Gospel.

"But now each of these blessings has been made to them an instrument of the keenest torture. Cupidity has fastened its eye upon their lands and their homes, and is seeking by force and by every variety of oppression and wrong to expel them from their lands and their homes and to tear from them all that has become endeared to them. Of what they have already suffered it is impossible for them to give the details, as they would make a history. Of what they are menaced with by unlawful power, every citizen of the United States who reads the public journals is aware. In this their distress they have appealed to the judiciary of the United States, where their rights have been solemnly established. They have appealed to the Executive of the United States to protect these rights according to the obligations of treaties and the injunctions of the laws. But this appeal to the Executive has been made in vain. In the hope that by yielding something of their clear rights they might succeed in obtaining security for the remainder, they have lately opened a correspondence with the Executive, offering to make a considerable cession from what had been reserved to them by solemn treaties, only upon condition that they might be protected in the part not ceded. But their earnest supplication has been unheeded, and the only answer they can get informs them, in substance, that they must be left to their fate, or renounce the whole. What that fate is to be unhappily is too plain.

"The State of Georgia has assumed jurisdiction over them, has invaded their territory, has claimed the right to dispose of their lands, and has actually proceeded to dispose of them, reserving only a small portion to individuals, and even these portions are threatened and will, no doubt, soon be taken from them. Thus the nation is stripped of its territory, and individuals of their property without the least color of right, and in open violation of the guarantee of treaties. At the same time the Cherokees, deprived of the protection of their own government and laws, are left without the protection of any other laws, outlawed as it were and exposed to indignities, imprisonment, persecution, and even to death, though they have committed no offense what-

ever, save and except that of seeking to enjoy what belongs to them, and refusing to yield it up to those who have no pretense of title to it. Of the acts of the legislature of Georgia your memorialists will endeavor to furnish copies to your honorable bodies, and of the doings of individuals they will furnish evidence if required. And your memorialists further respectfully represent that the Executive of the United States has not only refused to protect your memorialists against the wrongs they have suffered and are still suffering at the hands of unjust cupidity, but has done much more. It is but too plain that, for several years past, the power of the Executive has been exerted on the side of their oppressors and is co-operating with them in the work of destruction. Of two particulars in the conduct of the Executive your memorialists would make mention, not merely as matters of evidence but as specific subjects of complaint in addition to the more general ones already stated.

"The first of these in the mode adopted to oppress and injure your memorialists under color of enrollments for emigration. Unfit persons are introduced as agents, acts are practiced by them that are unjust, unworthy, and demoralizing, and have no object but to force your memorialists to yield and abandon their rights by making their lives intolerably wretched. They forbear to go into particulars, which nevertheless they are prepared, at a proper time, to exhibit.

"The other is calculated also to weaken and distress your memorialists, and is essentially unjust. Heretofore, until within the last four years, the money appropriated by Congress for annuities has been paid to the nation, by which it was distributed and used for the benefit of the nation. And this method of payment was not only sanctioned by the usage of the Government of the United States, but was acceptable to the Cherokees. Yet, without any cause known to your memorialists, and contrary to their just expectations, the payment has been withheld for the period just mentioned, on the ground, then for the first time assumed, that the annuities were to be paid, not as hitherto, to the nation, but to the individual Cherokees, each his own small fraction, dividing the whole according to the numbers of the nation. The fact is, that for the last four years the annuities have not been paid at all.

"The distribution in this new way was impracticable, if the Cherokees had been willing thus to receive it, but they were not willing; they have refused and the annuities have remained unpaid. Your memorialists forbear to advert to the motives of such conduct, leaving them to be considered and appreciated by Congress. All they will say is, that it has coincided with other measures adopted to reduce them to poverty and despair and to extort from their wretchedness a concession of their guaranteed rights. Having failed in their efforts to obtain relief elsewhere, your memorialists now appeal to Congress, and respectfully pray that

your honorable bodies will look into their whole case, and that such measures may be adopted as will give them redress and security."

ANOTHER TREATY ATTEMPTED.

In February, 1835, two delegations arrived in Washington each claiming to represent the Cherokee Nation, one headed by John Ross who for so many years was the principal chief, and the other by Major John Ridge, who had been a special chief among the Cherokees, and was a man of influence. The Ross delegation was opposed to reopening any negotiations having in view a removal to the west. Major Ridge favored the removal upon the grounds that it was fatal for the Cherokees to further oppose the demands of the State of Georgia and of the United States Government, and that there was nothing left to do but to reach an agreement, and to go on their way toward the land of the setting sun. The Ross delegation was composed of John Ross, R. Taylor, Daniel McCoy, Samuel Gunter and William Rogers. The Ridge delegation consisted of John Ridge, William A. Davis, Elias Boudinot, A. Smith, S. W. Bell, and J. West.

On February 11, 1835, the Reverend J. F. Schermerhorn was appointed as agent upon the part of the Government to meet Major Ridge and his party, and, if possible, make an amicable agreement with them, and he proceeded to open up negotiations to that end.

On February 25, 1835, John Ross, seeing that the negotiations with Ridge were proceeding, submitted a proposition for the removal based upon an allowance of \$20,000,000.00 for the cession of the territory, and the Government also to pay various claims. This proposition was later modified by another which expressed a willingness to accept such sum as the Senate of the United States might name. Thereupon the Senate proceeded to consider what should be paid for the Cherokee lands, and on March 6th, John Ross was notified that the sum of \$5,000,000.00 would be paid for all of the Cherokee lands east of the Mississippi River, but no treaty was ever concluded with Ross. On March 14, 1835, Schermerhorn and the Ridge party reached a conclusion that the consideration for the land should be \$4,500,000.00 and 800,000 acres of additional land. But this treaty was conditioned upon its being approved by the Cherokees in full council assembled.

At Red Clay, Georgia, the Cherokees came together in full council to consider the Ridge treaty, and rejected it, and even

Cherokee Alphabet.

D _a	R _e	T _e	ñ _a	C _u	I _u
S _{ga} O _{ha}	F _{ge}	N _{gi}	A _{go}	J _{gu}	E _{gy}
H _{ha}	P _{ho}	D _{hi}	E _{ho}	G _{hu}	G _{hy}
W _{ha}	C _{he}	P _{he}	G _{ho}	M _{hu}	Sh _{iv}
Ş _{ma}	G _{me}	H _{mu}	B _{mo}	Y _{mu}	
O _{na} E _{ha} G _{nde}	A _{ne}	H _{ni}	Z _{no}	A _{nu}	O _{ny}
T _{qua}	Q _{que}	P _{qui}	V _{quo}	Q _{quu}	E _{quv}
U _{sa} O _s	F _{se}	B _{si}	Φ _{su}	E _{su}	R _{sv}
L _{da} W _{ha}	S _{de} T _{te}	I _{di} J _{ti}	V _{du}	S _{du}	S _{dv}
Ş _{lla} F _{da}	L _{de}	C _{di}	U _{lu}	Đ _{du}	P _{lv}
G _{tsa}	T _{lse}	K _{tsi}	K _{tsu}	J _{tsu}	C _{tsv}
G _{wa}	Q _{we}	Ө _{ni}	Q _{nu}	Đ _{nu}	G _{wv}
Q _{ra}	B _{re}	Đ _{ri}	Đ _{ru}	Đ _{gu}	B _{yv}

Sounds represented by Vowels.

a, as a in father, or short as a in cat.

e, as a in hate or short as e in met

i, as i in piece, or short as i in fit.

o, as oo in law, or short as o in cut.

u, as oo in food, or short as u in pull.

ü, as y in but, nasalized.

Consonant Sounds

g nearly as in English, but approaching to k. d nearly as in English, but approaching to t. h, k, l, m, n, s, t, v, z as in English. Syllables beginning with g, except s have sometimes the power of k. d, & so are sometimes sounded to, tu, ti; and syllables written with d except t, sometimes very to dd.

Major Ridge and Elias Boudinot, who had been the main instrumentalities in bringing it about, turned against it, and voted to reject it, but the Reverend Mr. Schermerhorn, who evidently was able to see a "soul of good in things evil," in his report on the failure of the negotiations, piously submitted this:

"You will perceive Ridge and his friends have taken apparently a strange course. I believe he began to be discouraged in contending with the power of Ross; and perhaps, also, considerations of personal safety have had their influence, but the Lord is able to overrule all things for good."

CHAPTER 13.

**Cherokees—Two Decisions of the Supreme Court
United States—Cherokee Nation vs. State of
Georgia—The State of Georgia
vs. Samuel A. Worcester.**

Out of the aggressions of the State of Georgia backed up by the United States, on the Cherokees in Georgia, there arose two decisions of the United States Supreme Court which in their ultimate results forced the Cherokees to surrender the long and unequal fight and depart for the Indian Territory.

One of these decisions was in the case of the Cherokee Nation vs. the State of Georgia—a case John Ross caused to be instituted to test the question of the independence and sovereignty of the Cherokee nation under their numerous treaties with the United States. Ross was far sighted enough to see that as long as the rights of the Cherokees remained political questions, and his tribe had to depend on the honor and good faith of politicians, that those rights would be in daily jeopardy, and that the only possible safety lay in a favorable decision of the United States Supreme Court.

There can be no doubt that the decision of that Court was a profound surprise to Ross, and that he expected a deliverance in accord with the oft repeated guarantees of our government. The court held that while the Cherokees were a nation, they were not a foreign nation, and, therefore, could not under the constitution bring a suit in a Federal Court. This was a most discouraging result of the Cherokee effort to have their rights declared and protected by the law of the land. The decision could not have had any other effect than to render the State of Georgia more assertive and the Cherokee outlook gloomier than ever. It was rendered in January, 1831.

The second decision was rendered one year later, in January, 1832, and arose from a criminal prosecution by the State of Georgia against Samuel A. Worcester for residing in the Cherokee Nation in violation of a statute of Georgia, and the decision

nullified the statute and declared Worcester guilty of no violation of law.

After triumphantly winning the case of the Cherokee nation against Georgia, it is an easy surmise that the Georgia authorities were astounded at this deliverance of the Supreme Court in favor of Worcester, and that they saw that there were but two courses left to them, namely: to enforce their statute which the Supreme Court had nullified, and thereby risk war with the United States, or, in some way, bring about a new treaty with the Cherokees by which they would sell their land and leave the State. The politicians of Georgia were clearly in a dilemma. Their utterances had been loud and boisterous and bold that their State was sovereign, and that they would defend that sovereignty even to an issue of war with the government. Whether this was merely bluff we cannot tell, for they knew that Jackson was in the White House, and was on their side, and that he was not likely to turn aggressor against them.

On the other hand we cannot tell what Jackson would have done if their threats had not been bluff, and they had actually instituted war and assaulted the military forces of the United States. But, in the end, neither Georgia nor Jackson was put to the supreme test as to their course in the event the issue had been pushed to an ultimatum. For between January 1832, the date of the decision, and the assembling of the conference to draft the treaty of New Echota—a period of three years—activities were multiplied in the effort to come to an amicable agreement with the Cherokees, and so ease off a strained and dangerous situation. In ancient times all roads led to Rome, and, in the modern American time 1832–5, all roads were built to lead to New Echota. The treaty made there settled all Indian controversy.

The treaty was a corrupt piece of knavery and so it was reported to the Secretary of War by Major W. M. Davis, who had been appointed by the Federal administration to enroll the Cherokees for removal and to estimate the value of their improvements.

MAJOR W. M. DAVIS TO SECRETARY OF WAR.

"I conceive that my duty to the President, to yourself, and to my country reluctantly compels me to make a statement of facts in relation to a meeting of a small number of Cherokees at New Echota last December, who were met by Mr. Schermerhorn,

and articles of a general treaty entered into between them for the whole Cherokee nation . . . Sir, that paper, . . . called a treaty, is no treaty at all, because not sanctioned by the great body of the Cherokees, and made without their participation or assent. I solemnly declare to you that upon its reference to the Cherokee people, it would be instantly rejected by nine-tenths of them, and I believe by nineteen-twentieths of them. There were not present at the conclusion of the treaty more than one hundred Cherokee voters, and not more than three hundred, including women and children, although the weather was everything that could be desired. The Indians had long been notified of the meeting, and blankets were promised to all who would come and vote for the treaty. The most cunning and artful means were resorted to to conceal the paucity of numbers present at the treaty. No enumeration of them was made by Schermerhorn. The business of making the treaty was transacted with a committee appointed by the Indians present, so as not to expose their numbers. The power of attorney under which the committee acted was signed only by the president and secretary of the meeting, so as not to disclose their weakness. . . . Mr. Schermerhorn's apparent design was to conceal the real number present and to impose on the public and the government upon this point. The delegation taken to Washington by Mr. Schermerhorn had no more authority to make a treaty than any other dozen Cherokees accidentally picked up for the purpose. I now warn you and the President that if this paper of Schermerhorn's called a treaty is sent to the Senate and ratified, you will bring trouble upon the government, and, eventually destroy this (the Cherokee) nation. The Cherokees are a peaceable, harmless people, but you may drive them to desperation, and this treaty can not be carried into effect except by the strong arm of force."

The supporters of the Treaty had circulated the rumor that John Ross was inciting the Cherokees to armed resistance against the removal and the militia of adjoining States were called out, and among them, troops from East Tennessee, under the command of Brigadier General R. G. Dunlap. When General Dunlap disbanded his brigade in September, 1836, he made them a speech as follows:

GENERAL DUNLAP'S SPEECH.

"I forthwith visited all the posts within the first three States and gave the Cherokees (the whites needed none) all the protection in my power . . . My course has excited the hatred of a few of the lawless rabble in Georgia, who have long played the part of unfeeling petty tyrants, and that to the disgrace of the proud character of gallant soldiers and good citizens. I had determined that I would never dishonor the Tennessee arms in

a servile service by aiding to carry into execution at the point of the bayonet a treaty made by a lean minority against the will and authority of the Cherokee people . . . I soon discovered that the Indians had not the most distant thought of war with the United States, notwithstanding the common rights of humanity and justice had been denied them."

General John E. Wool of the United States army had been ordered to crush the alleged opposition of the Cherokees to the enforcement of the treaty and wrote the Adjutant General at Washington of what he saw.

GENERAL WOOL'S LETTER.

"The whole scene since I have been in this country has been nothing but a heartrending one, and such a one as I would be glad to get rid of as soon as circumstances will permit. Because I am firm and decided, do not believe I would be unjust. If I could, and I could not do them a greater kindness, I would remove every Indian tomorrow beyond the reach of the white men, who, like vultures, are watching, ready to pounce upon their prey and strip them of everything they have or expect from the government of the United States. Yes sir, nineteen-twentieths, if not ninety-nine out of every hundred, will go penniless to the West."

MAJOR JOHN RIDGE TO THE PRESIDENT.

Major John Ridge, who signed the treaty, made this protest to the President:

"We now come to address you on the subject of our griefs and afflictions from the acts of the white people. They have got our lands and now they are preparing to fleece us of the money accruing from the treaty. We found our plantations taken either in whole or in part by the Georgian suits instituted against us for back rents for our own farms. These suits are commenced in the inferior courts, with the evident design that, when we are ready to remove, to arrest our people, and on these vile claims to induce us to compromise for our own release, to travel with our families. Thus our funds will be filched from our people, and we shall be compelled to leave our country as beggars and in want.

"Even the Georgia laws, which deny us our oaths, are thrown aside, and notwithstanding the cries of our people and protestation of our innocence and peace, the lowest classes of the white people are flogging the Cherokees with cowhides, hickories, and clubs. We are not safe in our houses—our people are assailed by day and night by the rabble. Even justices of the peace and constables are concerned in this business. This barbarous treat-

ment is not confined to men, but the women are stripped also and whipped without law or mercy Send regular troops to protect us from these lawless assaults, and to protect our people as they depart for the West. If it is not done, we shall carry off nothing but the scars of the lash on our backs, and our oppressors will get all the money. We talk plainly, as chiefs having property and life in danger, and we appeal to you for protection."

CHEROKEE NATION VS. STATE OF GEORGIA.

The case of the Cherokee Nation vs. the State of Georgia, 6 Peters, United States Supreme Court Reports, pages 25-53, decided at the January term of the Court, 1831, not only marked an epoch in the history of the Cherokees, but was one of the great outstanding decisions of the Court. In treaty after treaty, the United States had dealt with the Cherokees as an independant nation, and in those same treaties, had most solemnly guaranteed their lands to them in perpetuity, and that they should not be molested nor removed therefrom; but treaties and guarantees of the United States to the contrary notwithstanding, the Indian was every day encroached upon by the white man, and he received no aid or succor from the Government. The inevitable decision of the white man against the red was being worked out, and, as was plainly seen by every thinking American, must sometime be decided, and that adversely to the red.

The State of Georgia by her legislation, and by the intolerance of her people of the presence of the Indians within the State, brought the issue acutely to a head, and it was by reason of Georgia's legislation that the case of the Cherokee Nation versus the State of Georgia found its way to the Federal Supreme Court for final adjudication.

The statement we make of this case will be largely in the language of the Supreme Court Report.

The burning issues which had existed for years between the United States and the Cherokees were based, as stated, upon the claim of the Cherokees that the United States by repeated treaties with them had acknowledged them as an independent nationality; and that by the most solemn guarantees the United States had bound themselves to keep the Indians in possession of the lands which they had not disposed of. The student of Indian history is bound to conclude that the United States did acknowledge by numerous treaties the independent nationality of the Indians,

that they did not live up to their acknowledgment, but permitted, both directly and indirectly, through long years, trespasses upon Indian rights.

The student must also conclude that the United States' most solemn guarantee to the Indians that their land should remain their own was violated, and, both directly and indirectly, those guarantees were annulled, and that the complaint of the Indians that our Government did not deal honorably with them rests upon sound historical basis.

STATEMENT OF THE CASE FROM THE REPORT.

"This case came before the Supreme Court of the United States on a motion on behalf of the Cherokee Nation of Indians for a subpoena, and for an injunction to restrain the State of Georgia, the Governor, Attorney-General, judges, justices of the peace, sheriffs, deputy sheriffs, constables, and others, the officers, agents and servants of that State, from executing and enforcing the laws of Georgia, or any of these laws, or serving process, or doing anything towards the execution or enforcement of those laws of Georgia, or any of these laws, or serving process, or doing anything towards the execution or enforcement of those laws within the Cherokee territory, as designated by treaty between the United States and the Cherokee Nation.

"The motion was made, after notice, and a copy of the bill filed at the instance and under the authority of the Cherokee Nation had been served on the Governor and Attorney-General of the State of Georgia on the 27th December, 1830, and the 1st of January, 1831. The notice stated that the motion would be made in this court on Saturday, the 5th day of March, 1831. The bill was signed by John Ross, principal chief of the Cherokee Nation, and an affidavit, in the usual form, of the facts stated in the bill, was annexed; which was sworn to before a justice of the peace of Richmond County, State of Georgia.

"The bill set forth the complainants to be:

"The Cherokee Nation of Indians, a foreign state, not owing allegiance to the United States, nor to any State of this Union, nor to any prince, potentate or State, other than their own.

"That from time immemorial the Cherokee Nation have composed a sovereign and independent State, and in this character have been repeatedly recognized, and still stand recognized by the United States, in the various treaties subsisting between their nation and the United States.

"That the Cherokees were the occupants and owners of the territory in which they now reside before first approach of the white men of Europe to the western continent; deriving their title from the Great Spirit, who is the common father of the human family, and to whom the whole earth belongs.

"Composing the Cherokee Nation, they and their ancestors have been and are the sole and exclusive masters of this territory, governed by their own laws, usages and customs.

"By those treaties the bill asserts the Cherokee Nation of Indians are acknowledged and treated with as sovereign and independent States within the boundary arranged by those treaties, and that the complainants are, within the boundary established by the Treaty of 1719, sovereign and independent, with the right of self-government, without any right of interference with the same on the part of any State of the United States. The bill calls the attention of the court to the particular provisions of those treaties, for the purpose of verifying the truth of the general principles deduced from them.

"The bill proceeds to state that, in violation of these treaties and of the Constitution of the United States, and of the Act of Congress of 1802, the State of Georgia, at a session of her Legislature held in December, in the year 1828, passed an Act which received the assent of the governor of that State on the 20th day of that month and year, entitled,

"'An Act to add the territory lying within this State and occupied by the Cherokee Indians, to the counties of Carroll, DeKalb, Gwinnett, Hall and Habersham, and to extend the laws of this State over the same, and for other purposes.'

"That, afterwards, to-wit, in the year 1829, the Legislature of the said State of Georgia passed another Act, which received the assent of the governor on the 19th December of that year, entitled,

"'An Act to add the territory lying within the chartered limits of Georgia, now in the occupancy of the Cherokee Indians, to the counties of Carroll, DeKalb, Gwinnett, Hall and Habersham, and to extend the laws of this State over the same, and to annul all laws and ordinances made by the Cherokee Nation of Indians, and to provide for the compensation of officers serving legal processes in said territory, and to regulate the testimony of Indians, and to repeal the ninth section of the Act of 1828 on this subject.'

"The effect of these laws and their purposes are stated to be to parcel out the territory of the Cherokees; to extend all the laws of Georgia over the same; to abolish the Cherokee laws, and to deprive the Cherokees of the protection of their laws; to prevent them, as individuals, from enrolling for emigration, under the penalty of indictment before the State courts of Georgia; to make it murder in the officers of the Cherokee government to inflict the sentence of death in conformity with the Cherokee laws, subjecting them all to indictment therefor, and death by hanging; extending the jurisdiction of the justices of the peace of Georgia into the Cherokee territory, and authorizing the calling out of the militia of Georgia to enforce the process; and finally, declaring that no Indian, or descendant of any Indian, residing within the Cherokee Nation of Indians, shall be deemed a competent witness in any court of the State of Georgia in which

a white person may be a party, except such white person resides within the said nation.

"All these laws are averred to be null and void because repugnant to treaties in full force and to the Constitution of the United States, and to the Act of Congress of 1802."

THE OPINION.

Chief Justice Marshall delivered the opinion of the court:

"This bill is brought by the Cherokee Nation, praying an injunction to restrain the State of Georgia from the execution of certain laws of that State, which as is alleged, go directly to annihilate the Cherokees as a political society, and to seize, for the use of Georgia, the lands of the nation which have been assured to them by the United States in solemn treaties repeatedly made and still in force.

"If courts were permitted to indulge their sympathies, a case better calculated to excite them can scarcely be imagined. A people once numerous, powerful, and truly independent, found by our ancestors in the quiet and uncontrolled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, have yielded their lands by successive treaties, each of which contains a solemn guarantee of the residue, until they retain no more of their formerly extensive territory than is deemed necessary to their comfortable subsistence. To preserve this remnant the present application is made.

"Before we can look into the merits of the case, a preliminary inquiry presents itself. Has this court jurisdiction of the cause?

"The third article of the Constitution describes the extent of the judicial power. The second section closes an enumeration of the cases to which it is extended, with 'controversies between a state or the citizens thereof, and foreign states, citizens, or subjects.' A subsequent clause of the same section gives the Supreme Court original jurisdiction in all cases in which a State shall be a party. The party defendant may then unquestionably be sued in this Court. May the plaintiff sue in it? Is the Cherokee Nation a foreign state in the sense in which that term is used in the Constitution?

"The counsel for the plaintiffs have maintained the affirmative of this proposition with great earnestness and ability. So much of the argument as was intended to prove the character of the Cherokees as a State, as a distinct political society separated from others, capable of managing its own affairs and governing itself, has, in the opinion of a majority of the judges, been completely successful. They have been uniformly treated as a State from the settlement of our country. The numerous treaties made with them by the United States recognize them as a people capable of maintaining the relations of peace and war, of being responsible in their political character for any violation of their

engagements, or for any aggression committed on the citizens of the United States by any individual of their community. Laws have been enacted in the spirit of these treaties. The acts of our government plainly recognize the Cherokee Nation as a State, and the courts are bound by those acts.

"A question of much more difficulty remains. Do the Cherokees constitute a foreign state in the sense of the Constitution?

"The counsel have shown conclusively that they are not a State of the Union, and have insisted that individually they are aliens, not owing allegiance to the United States. An aggregate of aliens composing a State must, they say, be a foreign state. Each individual being foreign, the whole must be foreign.

"This argument is imposing, but we must examine it more closely before we yield to it. The condition of the Indians in relation to the United States is perhaps unlike that of any other two people in existence. In the general, nations not owing a common allegiance are foreign to each other. The term foreign nation is, with strict propriety, applicable by either to the other. But the relation of the Indians to the United States is marked by peculiar and cardinal distinctions which exist nowhere else.

"The Indian Territory is admitted to compose a part of the United States. In all our maps, geographical treaties, histories and laws, it is so considered. In all our intercourse with foreign nations, in our commercial regulations, in any attempt at intercourse between Indians and foreign nations, they are considered as within the jurisdictional limits of the United States, subject to many of those restraints which are imposed upon our own citizens. They acknowledge themselves in their treaties to be under the protection of the United States; they admit that the United States shall have the sole and exclusive right of regulating the trade with them, and managing all their affairs as they think proper; and the Cherokees in particular were allowed by the treaty of Hopewell, which preceded the Constitution, 'to send a deputy of their choice, whenever they think fit, to Congress.' Treaties were made with some tribes by the State of New York under a then unsettled construction of the Confederation, by which they ceded all their lands to that State, taking back a limited grant to themselves, in which they admit their dependence.

"Though the Indians are acknowledged to have an unquestionable, and, heretofore, unquestioned right to the lands they occupy until that right shall be extinguished by a voluntary cession to our government, yet it may well be doubted whether those tribes which reside within the acknowledged boundaries of the United States can, with strict accuracy, be denominated foreign nations. They may, more correctly, perhaps, be denominated domestic dependent nations. They occupy a territory to which we assert a title independent of their will, which must take effect in point of possession when their right of possession ceases. Meanwhile they are in a state of pupilage.

Their relation to the United States resembles that of a ward to his guardian.

"They look to our government for protection; rely upon its kindness and its power; appeal to it for relief to their wants; and address the President as their great father. They and their country are considered by foreign nations, as well as by ourselves as being so completely under the sovereignty and dominion of the United States, that any attempt to acquire their lands, or to form a political connection with them, would be considered by all as an invasion of our territory, and an act of hostility.

"These considerations go far to support the opinion that the framers of our Constitution had not the Indian tribes in view when they opened the courts of the Union to controversies between a State or the citizens thereof, and foreign states.

"In considering this subject, the habits and usages of the Indians in their intercourse with their white neighbors ought not to be entirely disregarded. At the time the Constitution was framed, the idea of appealing to an American court of justice for an assertion of right or a redress of wrong, had perhaps never entered the mind of an Indian or of his tribe. Their appeal was to the tomahawk, or to the government. This was well understood by the Statesmen who framed the Constitution of the United States, and might furnish some reason for omitting to enumerate them among the parties who might sue in the courts of the Union. Be this as it may, the peculiar relations between the United States and the Indians occupying our territory are such that we should feel much difficulty in considering them as designated by the term, foreign State, were there no other part of the Constitution which might shed light on the meaning of these words. But we think that in construing them, considerable aid is furnished by that clause in the eighth section of the third article, which empowers Congress to,

"Regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

"The court has bestowed its best attention on this question, and after mature deliberation, the majority is of opinion that an Indian tribe or nation within the United States, is not a foreign State in the sense of the Constitution, and cannot maintain an action in the courts of the United States."

Mr. Justice Johnson and Mr. Justice Baldwin rendered separate opinions in line with that of the Chief Justice, while Mr. Justice Thompson rendered a lengthy and very able dissenting opinion which was concurred in by Mr. Justice Story.

WORCESTER VS. THE STATE OF GEORGIA, DECIDED BY THE SUPREME COURT OF THE UNITED STATES, JANUARY TERM, 1832.

On December 22, 1830, the Legislature of the State of Georgia passed an Act as follows:

"An Act to prevent the exercise of assumed and arbitrary power, by all persons, under pretext of authority from the Cherokee Indians and their laws, and to prevent white persons from residing within that part of the chartered limits of Georgia, occupied by the Cherokee Indians, and to provide a guard for the protection of the gold mines, and to enforce the laws of the State within the aforesaid territory."

By this Act the Legislature provided that after the first day of February, 1821, it should not be lawful for the Cherokees to assemble in council or other legislative body, nor under pretext of authority from the Cherokee tribe to assemble in assembly or convention for the purpose of making laws, or to hold any Cherokee court or tribunal for the purpose of hearing and determining causes, either civil or criminal; or for any ministerial officer to execute any processes issued by any Cherokee court; or for any person to confiscate or attempt to confiscate the property of any Indian in consequence of his enrolling himself for emigration.

By its terms, none of the provisions of the Act should be construed so as to prevent said Cherokee Indians from meeting any agent or commissioner of the United States for any purpose whatever.

The Act further provided that all white persons residing in the Cherokee Nation on the first day of March after the passing of the Act, without a license or permit from the Governor of Georgia, and who shall not have taken the oath provided in said Act, should be guilty of a high misdemeanor and punished by confinement in the penitentiary at hard labor for not less than four years; the oath required to be taken being as follows:

"I, A. B., do solemnly swear that I will support and defend the constitution and laws of the State of Georgia, and uprightly demean myself as a citizen thereof, so help me God," and, upon the taking of this oath, the Governor was authorized to grant licenses to white persons to reside within the limits of the Cherokee Nation.

The Act further provided that no person should collect any toll from any person passing any turnpike-gate under any law of the Cherokee tribe, and that the Governor of the State should be empowered, for the protection of the gold mines of the State and for the enforcement of the laws of Georgia within the Cherokee Nation, to raise and organize a guard, both foot and mounted, to enforce the provisions of this Act, and that pay of said guard

should be Fifteen Dollars a month when on foot, and Twenty Dollars a month when mounted, and said guard was authorized to arrest any person detected in the violation of the laws of the State.

On December 10th, 1829, the Legislature of Georgia passed the following Act:

"An act to add the territory lying within the chartered limits of Georgia and now in the occupancy of the Cherokee Indians, to the counties of Carroll, DeKalb, Gwinnett, Hall and Habersham, and to extend the laws of this State over the same, and to annul all laws and ordinances made by the Cherokee Nation of Indians, and to provide for the compensation of officers serving legal process in said territory, and to regulate the testimony of Indians, and to repeal the 9th section of the Act of 1828 upon this subject."

By this Act various parts of the Cherokee territory adjacent to the counties named were added to said Counties, and the laws of Georgia, both civil and criminal, were extended over said added territory; and it is provided that all processes of the Courts of Georgia should extend over said added territory; that after June 1st following the passage of the Act, all laws and regulations of the Cherokee Indians should be null and void in said added territory; that no law or ordinance of the Cherokee Nation should be used to prevent any Cherokee from enrolling himself as an emigrant; that any person attempting to prevent any Cherokee from emigrating should be subject to indictment and punishment by confinement in jail for a term not exceeding four years; that it should be a criminal offense for any person to attempt to prevent any Cherokee chief or warrior from selling to the United States the whole or any part of the Cherokee territory, and any person so attempting would be guilty of a high misdemeanor, and subject, upon his conviction, to confinement in the penitentiary for not less than four nor longer than six years; that no person by virtue of any rule or ordinance of the Cherokee Nation should take the life of any Cherokee enlisting as an emigrant, or attempting to emigrate.

Section 15, which is the last section of the Act, provides:

"And be it further enacted, that no Indian or descendant of any Indian, residing within the Creek or Cherokee Nations of Indians, shall be deemed a competent witness in any Court of this State to which a white person may be a party, except such white person resides within the said Nation."

In September 1831, the grand jurors for Gwinnett County, Georgia, preferred an indictment against Samuel A. Worcester charging that:

"On the 15th day of July, 1831, he did reside in that part of the Cherokee Nation attached by the laws of said State to the said County, and in the County aforesaid, without a license or permit from his Excellency, the Governor of said State, or from any agent authorized by his Excellency the Governor aforesaid to grant such permit or license, and without having taken the oath to support and defend the constitution and laws of the State of Georgia, and uprightly to demean himself as a citizen thereof, contrary to the laws of said State, the good order, peace and dignity thereof."

Worcester filed a plea setting up that the Court ought not to take any further cognizance of the prosecution of him because of the fact that on July 15th he was a resident of the Cherokee Nation which was not within the jurisdiction of a Georgia court, and that he had the right to be a resident of said Nation, and had entered the same as a duly authorized missionary of the American Board of Commissioners for Foreign Missions, under the authority of the President of the United States, and that he had not since been required by the President to leave said Nation; that said Cherokee Nation had been recognized by the United States in a number of treaties as an independent Nation, with the right to make laws and regulations of its own, and that he was a resident of said Nation by its consent, and that the law of the State of Georgia which he was charged with violating, was null and void and of no effect in the territory of said Cherokee Nation, and that there was no authority for bringing an indictment against him, the said Samuel A. Worcester, for residing in said Cherokee Nation.

This plea was overruled by the Court, and the prisoner being arraigned, plead not guilty, and the jury found a verdict against him, and the court sentenced him to hard labor in the penitentiary of Georgia for a term of four years, and the case was appealed to the Supreme Court of the United States.

These Acts of the State of Georgia were revolutionary and drastic efforts, showing a fixed determination on the part of Georgia to break up, absolutely, the Cherokee Nation and their government, and to compel them to be subject to the laws of the State. The underlying theory of the laws was that the Cherokees would refuse to live under such oppressive Acts and would

sell out and emigrate to the Indian Territory west of the Mississippi.

THE OPINION.

Chief Justice John Marshall, delivering the opinion of the Court, said in part:

"This cause, in every point of view in which it can be placed, is of the deepest interest.

"The defendant is a State, a member of the Union, which has exercised the powers of government over a people who deny its jurisdiction, and are under the protection of the United States.

"The plaintiff is a citizen of the State of Vermont, condemned to hard labor for four years in the penitentiary of Georgia under color of an act which he alleges to be repugnant to the constitution, laws, and treaties of the United States.

"The legislative power of a State, the controlling power of the constitution and laws of the United States, the rights, if they have any, the political existence of a once numerous and powerful people, the personal liberty of a citizen, are all involved in the subject now to be considered. * * * * *

"The Cherokee Nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter but with the assent of the Cherokees themselves, or in conformity with treaties and with the acts of Congress. The whole intercourse between the United States and this nation is, by our constitution and laws, vested in the government of the United States.

"The act of the State of Georgia, under which the plaintiff in error was prosecuted, is consequently void, and the judgment a nullity. Can this court revise and reverse it?

"If the objection to the system of legislation lately adopted by the legislature of Georgia, in relation to the Cherokee Nation was confined to its extra-territorial operation, the objection, though complete, so far as respected mere right, would give this court no power over the subject. But it goes much further. If the review which has been taken be correct, and we think it is, the acts of Georgia are repugnant to the constitution, laws, and treaties of the United States.

"They interfere forcibly with the relations established between the United States and the Cherokee Nation, the regulation of which, according to the settled principles of our constitution, are committed exclusively to the government of the Union.

"They are in direct hostility with treaties, repeated in a succession of years, which mark out the boundary that separates the Cherokee country from Georgia, guarantee to them all the land within their boundary, solemnly pledge the faith of the United States to restrain their citizens from trespassing on it, and recognize the pre-existing power of the Nation to govern itself.

"They are in equal hostility with the acts of Congress for regulating this intercourse, and giving effect to the treaties.

"The forcible seizure and abduction of the plaintiff in error, who was residing in the Nation with its permission, and by authority of the President of the United States, is also a violation of the acts which authorize the chief magistrate to exercise this authority.

"Will these powerful considerations avail the plaintiff in error? We think they will. He was seized and forcibly carried away, while under guardianship of treaties guaranteeing the country in which he resided, and taking it under the protection of the United States. He was seized while performing, under the sanction of the chief magistrate of the Union, those duties which the humane policy adopted by Congress had recommended. He was apprehended, tried and condemned under color of a law which has been shown to be repugnant to the constitution, laws, and treaties of the United States. Had a judgment liable to the same objections been rendered for property, none would question the jurisdiction of this court. It cannot be less clear when the judgment affects personal liberty, and inflicts disgraceful punishment, if punishment could disgrace when inflicted on innocence. The plaintiff in error is not less interested in the operation of this unconstitutional law than if it affected his property. He is not less entitled to the protection of the constitution, laws and treaties of his country.

"This point has been elaborately argued, and, after deliberate consideration, decided, in the case of Cohens vs. The Commonwealth of Virginia, 6 Wheat, 264.

"It is the opinion of this court that the judgment of the superior court for the County of Gwinnett, in the State of Georgia, condemning Samuel A. Worcester to hard labor in the penitentiary of the State of Georgia for four years, was pronounced by that court under color of a law which is void, as being repugnant to the constitution, treaties and laws of the United States, and ought, therefore, to be reversed and annulled."

Horace Greely says in his American Conflict that George N. Briggs, a member of Congress from Massachusetts, told him that after the Worcester case had been decided by the Supreme Court, President Jackson remarked, "Well, John Marshall has made his decision, now let him enforce it."



FROM NATIONAL PORTRAIT GALLERY, NEW YORK, 1861.

GENERAL WINFIELD SCOTT IN OLD AGE

CHAPTER 14.

Cherokees—Treaty of New Echota—The Great Removal—Gen. Scott's Proclamations and Letters
—Death of John Ross—Eulogy—Sequoya and Cherokee Alphabet—Reunited Cherokees
—Luke Lea, Indian Agent—Capt. Henegar's Letter—Fort Loudon and John H. DeWitt's Speech.

TREATY OF NEW ECHOTA.

The treaty of New Echota was negotiated and agreed upon at New Echota, Georgia, in December, 1835, between General William Carroll of Tennessee, and Reverend J. F. Schermerhorn, Commissioners on the part of the United States, and the chiefs, headmen and people of the Cherokee tribe of Indians. New Echota, the present Rome, Georgia, became the capital of the Cherokee Nation sometime between 1817 and 1819. Before that time Chota on the Little Tennessee River was the capital. This treaty was ratified by the United States Senate on May 23d, 1836, by one vote more than the necessary two-thirds majority. It gave rise to bitter contention, not only between the Cherokees themselves, but between the white friends and white opponents of the Cherokees. The treaty was so far reaching in its results to the United States, the State of Georgia, and the Cherokee Indians, and to the general Indian policy of the Government, that it affords a most interesting study. It became a burning issue in the politics of the day, and charges and counter charges were freely made by rival disputants. It may be well to give some of its leading provisions:

First: The Cherokees ceded all of their lands east of the Mississippi River to the United States, and released all claims on the United States for spoliations in consideration of \$5,000,000. In case that the United States Senate should decide that the \$5,000,000.00 did not include spoliations, then \$300,000.00 additional should be allowed for that purpose.

Second: The treaty repeats the description of the 7,000,000 acres west of the Mississippi granted to the Cherokees by the

treaties of 1828 and 1833, and, in addition, a guaranty is made to the Cherokees for a perpetual outlet west; and letters patent were to be issued by the United States for the land granted.

Third: The United States agreed that in consideration of \$500,000.00 they would patent to the Cherokees in fee simple another tract of land described in the treaty estimated to contain eight hundred thousand acres.

Fourth: The lands sold to the Cherokees were to be patented to them by the United States under the provisions of the Act of May 28, 1830.

Fifth: The United States agreed that the land sold and guaranteed to the Cherokees should never, without their consent, be included within the limits or jurisdiction of any State or territory, and the Cherokees were to have the right to pass any law they might deem necessary, provided it was not inconsistent with the Constitution and laws of the United States, and that perpetual peace should exist between the United States and the Cherokees, and that the United States would protect them from domestic strife, foreign enemies, and war with other tribes, as well as from trespasses by citizens of the United States.

Sixth: The Cherokees were to be entitled to a delegate in the United States House of Representatives whenever Congress should make provision for the same.

Seventh: The United States were to remove the Cherokees to the territory west of the Mississippi, and to provide them with one year's subsistence.

Eighth: The United States was to make an appraisement of all Cherokee improvements and ferries on the land they were selling to the United States, and the just debts of the Indians were to be paid out of moneys due them for improvements.

Ninth: The President of the United States was to invest for the benefit of the Cherokees \$200,000.00 for a general national fund; \$50,000.00 for an orphans' fund; \$150,000.00 for a permanent national school fund.

Tenth: The Cherokee warriors wounded in the service of the United States during the war with Great Britain and the southern tribes of Indians, were to be allowed to receive such pensions as Congress might provide.

Eleventh: The Cherokees were to remove west within two years from the ratification of the treaty, during which time the

United States was to protect them in the possession of their property.

There were a number of details set out in the treaty which need not be here repeated.

On December 31st, 1835, James Rogers and John Smith, delegates from the Western Cherokees, signed an agreement to this treaty on behalf of the western Cherokees.

On December 29, 1835, a supplement to the treaty was adopted with three provisions: (1) All pre-emption rights and reservations provided for in articles 12 and 13 of the original treaty were to be null and void; (2) The Senate was to vote additional money to the Cherokees if that body understood that the \$5,000,000.00 given for the land was to include moving expenses, which moving expenses were to be estimated at the sum of \$600,000.00, which was to be in lieu of the sum of \$100,000.00 and of exemptions provided for in article one of the treaty, for spoliations.

This treaty stirred the public feeling so deeply that in the interests of a compromise, President Martin VanBuren in May, 1838, proposed that the Cherokees should be allowed two years additional time in which to move, subject to the approval of Congress and the executives of the States interested. To this proposition of the President, Governor Gilmer of Georgia made this response:

"* * * I can give it no sanction whatever. The proposal could not be carried into effect but in violation of the rights of this State. * * * It is necessary that I should know whether the President intends by the instructions to General Scott that the Indians shall be maintained in their occupancy by main force, in opposition to the rights of the owners of the soil; if such be the intention a direct collision between the authorities of the State and the General Government must ensue. My duty will require that I shall prevent any interference whatever by the troops with the rights of the State and its citizens, and I shall not fail to perform it."

The reader will be interested to peruse the description by George Bancroft in his History of the United States of the country which the United States bought by this treaty from the Cherokees, and which that tribe had occupied as supreme master for so many long years. This is the description Bancroft gives:

"The mountaineers of aboriginal America were the Cherokees, who occupied the valley of the Tennessee River as far west as the Muscle Shoals and the highlands of Carolina, Georgia and Ala-

bama, the most picturesque and salubrious region east of the Mississippi. Their homes are encircled by blue hills rising beyond blue hills, of which the lofty peaks would kindle with the early light and the overshadowing night envelop the valleys like a mass of clouds. There the rocky cliffs rising in naked grandeur defy the lightning and mock the loudest peals of the thunderstorm; there the gentle slopes are covered with magnolias and flowering forest trees, decorated with roving climbers, and ring with the perpetual note of the whip-poor-will; there the wholesome water gushes profusely from the earth in transparent springs; snow-white cascades glitter on the hillsides; and the rivers, shallow, but pleasant to the eye, rush through the narrow vales which the abundant strawberry crimsons and the coppices of rhododendron and flaming azalea adorn. * * * The fertile soil teems with luxuriant herbiage on which the roebuck fattens; the vivifying breeze is laden with fragrance; and daybreak is ever welcomed by the shrill cries of the social night-hawk and the liquid carols of the mocking-bird."

THE GREAT REMOVAL.

In the contest between our pioneer ancestors and the red man our sympathies, of course, go with the men of white faces, but that does not prevent us from also feeling sympathy for the Cherokees when in 1838-1839 they took up their last march from their ancestral homes to the western country across the Mississippi river. They had relinquished their claim to the United States government, and the time of their removal had come. Under the orders of General Winfield Scott, United States troops were placed at various points in the Cherokee country, and stockade forts were erected for holding the Indians after they were collected, and preparatory to their last journey toward the setting sun. Soldiers were sent into cabins and coves of the mountains everywhere an Indian might be concealed, and they were brought to the stockades. In North Carolina there were stockades in Swain County, Macon County, Graham County, Clay County, Cherokee County, and Murphy County. In Georgia in Lumpkin County, Gilmer County, Murray County, Pickens County, and Cherokee County. In Tennessee at the present town of Calhoun, located on the Hiwassee River, and the Southern Railway, in McMinn County.

Nearly seventeen thousand Cherokees were gathered into these various stockades, and in June and the summer of 1838, about six thousand of them were brought to Calhoun, Tennessee, to Ross' Landing, now Chattanooga, Tennessee, and to Gunter's Landing, now Guntersville, Alabama, where they were put upon

steamboats and sent down the Tennessee River to the Ohio, and thence to the west side of the Mississippi, when the journey was continued by land into the Indian Territory. This removal was in the hot part of the year, and great sickness and mortality ensued among the Indians; so much so, that their chief submitted to General Scott a proposition that the balance of the Cherokees be allowed to move themselves in the fall when weather conditions were more favorable. General Scott agreed to this proposition, provided all of the Cherokee should have started on their journey to the west by October 20, 1838, except the sick and the old people who could not move so rapidly. The Cherokees proceeded to organize for their self-removal, and were cut up into divisions of one thousand each, and there were two leaders in charge of each division, with wagons and horses for their use. This removal aggregated about thirteen thousand people, including negro slaves. They started on their last march in October, 1838. They had assembled in what is now Charleston, Tennessee, on the Southern Railway, across the river from Calhoun, and a few of them went by the river route from Charleston, but nearly all of the thirteen thousand went by land. They had six hundred and forty-five wagons. The sick, old people, small children, their clothing, blankets and cooking utensils, were in the wagons, the rest were on foot or horseback. The Tennessee River was crossed at the mouth of Hiwassee, and the route then lay south of Pikeville, through McMinnville, and on to Nashville on the Cumberland River; thence to Hopkinsville, Kentucky. The Ohio River was crossed near the mouth of the Cumberland; and thence on through Southern Illinois until the Mississippi was reached. The weather was bitterly cold when they reached the Mississippi, and many of them died. The river was crossed at Cape Girardeau and at Green's Ferry, and thence the march was through Missouri and into the Indian Territory. They marched in two detachments. They left Tennessee in October, 1838, and reached their destination in March, 1839, covering a period of nearly six months in the worst weather of the year. The number who died on this removal was given in the official figures as sixteen hundred; the percent. of the five thousand who went under military escort was larger, we are justified in believing, from the fact that the Cherokees themselves made the proposition that they would conduct their own removal rather than be conducted by the United States officers, and they lived

up to their agreement. John Ross' wife named Quatie, a full blooded Cherokee, died en route, February 1, 1839, and was buried in Little Rock, Arkansas. His second wife was Mary Brian Stapler, born in Delaware, whom he married September 2, 1844. She died July, 1865. A great many died in the stockades before starting on their journey, and James Mooney, in his work, "Myths of the Cherokees," published by the United States Government as the Nineteenth Annual Report of the Bureau of Ethnology, estimates that four thousand died altogether as the direct result of the removal. On getting to the Indian Territory, they started to build houses and plant crops. The United States Government had agreed to furnish them with subsistence for one year after their arrival.

Mooney in his "Myths of the Cherokees," relates this incident:

"Just inside the Tennessee line where the Conasauga bends again into Georgia is a stone-walled grave with a marble slab on which is an epitaph which tells its own story of the Removal heartbreak. McNair was a white man prominent in the Cherokee Nation, whose wife was the daughter of Chief Vann, who welcomed the Moravian missionaries and gave his own house for their use. The date shows that she died while the removal was in progress, possibly while waiting in the stockade camp. The inscription with details is given from information kindly furnished by Mr. D. K. Dunn of Conasauga, Tennessee, in a letter dated August 16, 1890:

"Sacred to the memory of David and Delilah A. McNair, who departed this life, the former, on the 15th of August, 1836, and the latter on the 30th of November, 1838. Their children being members of the Cherokee Nation, and having to go with their people to the West, do leave this monument not only to show their regard for their parents, but to guard their sacred ashes against the unhallowed intrusion of the white man."

John Ross did not acquiesce in or yield to the treaty of New Echota, but as time went by, he saw that the Government was determined to execute it, and to force the Indians to leave the country, and he finally submitted to the inevitable.

During the summer of 1838 the six thousand Indians removed were under the direction of officers of the United States Army. Later, John Ross proposed, by virtue of a resolution of the Cherokee Council, that the remainder of the emigration should be executed and carried out by the Cherokees themselves, and should take place in the following September and October, the estimated cost of such removal to be \$65.88 a head. This proposal was

assented to, and the last of the Cherokees began their march for the West on December 4, 1838. About a thousand fled to the mountains of Tennessee and North Carolina and were never captured, so they were left behind, and little effort was made to get them.

Major General Scott, on assuming the tremendous undertaking of removing the Cherokees, issued an address to those to be moved from North Carolina, Georgia, Tennessee and Alabama.

GEN. SCOTT'S ADDRESS.

"Cherokees:—The President of the United States has sent me, with a powerful army, to cause you, in obedience to the treaty of 1835, to join that part of your people who are already established in prosperity on the other side of the Mississippi. Unhappily, the two years which were allowed for the purpose, you have suffered to pass away without following, and without making any preparation to follow, and now, or by the time that this solemn address shall reach your distant settlements, the emigration must be commenced in haste, but, I hope, without disorder. I have no power, by granting a further delay, to correct the error that you have committed. The full moon of May is already on the wane, and before another shall have passed away, every Cherokee man, woman, and child, in those States, must be in motion to join their brethren in the far West.

"My friends, this is no sudden determination on the part of the President, whom you and I must now obey. By the treaty, the emigration was to have been completed on or before the 23rd of this month, and the President has constantly kept you warned, during the two years allowed, through all his officers and agents in this country, that the treaty would be enforced.

"I am come to carry out that determination. My troops already occupy many positions in the country that you are to abandon, and thousands and thousands are approaching from every quarter, to render resistance and escape alike hopeless. All those troops, regular and militia, are your friends. Receive them and confide in them as such. Obey them when they tell you that you can remain no longer in this country. Soldiers are as kind-hearted as brave, and the desire of every one of us is to execute our painful duty in mercy. We are commanded by the President to act toward you in that spirit, and such is also the wish of the whole people of America.

"Chiefs, head men, and warriors, will you, then, by resistance, compel us to resort to arms? God forbid! Or, will you, by flight, seek to hide yourselves in mountains and forests, and thus oblige us to hunt you down? Remember that, in pursuit, it may be impossible to avoid conflicts. The blood of the white man, or the blood of the red man, may be spilt, and if spilt, however accidentally, it may be impossible for the discreet and humane among you,

or among us, to prevent a general war and carnage. Think of this, my Cherokee brethren! I am an old warrior, and have been present at many a scene of slaughter; but spare me, I beseech you, the horror of witnessing the destruction of the Cherokees.

"Do not, I invite you, even wait for the close approach of the troops; but make such preparations for emigration as you can, and hasten to this place, to Ross' Landing, or to Gunter's Landing, where you will be received in kindness by officers selected for the purpose. You will find food for all, and clothing for the destitute, at either of those places, and thence at your ease, and in comfort, be transported to your new homes according to the terms of the treaty.

"This is the address of a warrior to warriors. May his entreaties be kindly received and may the God of both prosper the Americans and Cherokees, and preserve them long in peace and friendship with each other.

"WINFIELD SCOTT."

GENERAL SCOTT'S NARRATIVE OF THE REMOVAL.

"The frontiers being for the time quieted by the means narrated, by the thaw of spring, and the return of the farming season of industry, Scott was called to Washington and ordered thence to the Southwest—charged with the delicate duty of removing the Cherokee Indians, under certain treaty stipulations, to their new country on the upper Arkansas River. This work unavoidably fell upon the military, and with the *carte blanche*, from President Van Buren, under his sign manuel—Mr. Secretary Poinsett being very ill—Scott undertook the painful duty—with the firm resolve that it should be done judiciously, if possible, and, certainly, in mercy.

"The number of volunteers called for by Scott's predecessor (Colonel Lindsay) in that special command, independent of a few regulars, was overwhelming. Hence resistance on the part of the Indians would have been madness. The Cherokees were an interesting people—the greater number Christians, and many as civilized as their brothers of the white race. Between the two colors intermarriages had been frequent. They occupied a contiguous territory—healthy mountains, valleys, and plains lying in North Carolina, Georgia, Alabama and Tennessee. Most of their leading men had received good educations, and possessed much ability. Some were quite wealthy in cultivated farms, good houses, cattle of every kind, and *negro slaves*, Gardens and orchards were seen everywhere, and the women graceful, with, in many cases, added beauty. Of course, the mixed races are here particularly alluded to. The mountaineers were still wild men, but little on this side of their primordial condition.

"The North Carolinians and Tennesseans were kindly disposed toward their red brethren. The Alabamians much less so. The great difficulty was with the Georgians (more than half the

army), between whom and the Cherokees there had been feuds and wars for many generations. The reciprocal hatred of the two races was probably never surpassed. Almost every Georgian, on leaving home, as well as after arrival at New Echota, the center of the most populous district of the Indian territory, vowed never to return without having killed at least one Indian. This ferocious language was the more remarkable as the great body of these citizens, perhaps, seven in ten, were professors of religion. The Methodist, Baptist, and other ministers of the Gospel of Mercy, had been extensively abroad among them; but the hereditary animosity alluded to caused the Georgians to forget, or, at least, to deny, that a Cherokee was a human being. It was, however, to that general religious feeling which Scott had witnessed in the Georgia troops, both in Florida and on the Chattahoochee in 1836, that he now meant to appeal, and on which he placed his hopes of avoiding murder and other atrocities. And as will be seen that blessed sentiment responded.

"The autobiographer arrived at the Cherokee Agency, a small village on the Hiwassee, within the edge of Tennessee, early in May, 1838, and published the subjoined addresses to the troops and Indians. Both were printed at the neighboring village, Athens, and to show singleness of feeling and policy, the two papers were very extensively circulated together among all concerned.

"There was some delay in bringing in the mountaineers of North Carolina; but most of the people residing in Tennessee and Alabama were readily collected for emigration. Scott remained with the Georgians, and followed up his printed addresses by innumerable lessons and entreaties.

"The latter troops commenced in their own State the collection of the Indians, with their movable effects, May 26. Scott looked on in painful anxiety. Food in abundance had been provided at the depots, and wagons accompanied every detachment of troops. The Georgians distinguished themselves by their humanity and tenderness. Before the first night thousands—men, women and children—sick and well were brought in. Poor creatures! They had obstinately refused to prepare for the removal. Many arrived half-starved, but refused the food that was pressed upon them. At length, the children, with less pride, gave way, and next their parents. The Georgians were the waiters on the occasion—many of them with flowing tears. The autobiographer has never witnessed a scene of deeper pathos.

"Some cheerfulness, after a while, began to show itself, when, counting noses, one family found that a child, another an aged aunt, etc., had been left behind. Instantly dozens of the volunteers asked for wagons, or saddle horses, with guides, to bring in the missing.

"In a few days, without shedding a drop of blood, the Indians, with the exception of small fragments, were collected—those

of North Carolina, Georgia and Tennessee, at the Agency, in a camp twelve miles by four; well shaded, watered by perennial springs, and flanked by the Hiwassee. The *locale* was happily chosen, as a most distressing drought of some four months—counting from about the middle of June—came upon the whole Southwestern country, that stopped any movement to the West till November; for the Tennessee, Mississippi and Arkansas Rivers ceased to be navigable by the beginning of July, and on the land route, to the Arkansas, there were may spaces of twenty, forty, and even sixty miles, without sufficient water for the inhabitants and their cattle. The other camps of emigration were also shaded and watered. Scott caused the few sick to be well attended by good physicians; all proper subjects to be vaccinated; rode through the principal camp almost daily, and having placed the emigration in the hands of the Cherokee authorities themselves, after winning the confidence of all, was at liberty, at an early day, to the great benefit of the treasury, to send all the volunteers to their respective homes, except a single company. A regiment of regulars, to meet contingencies, was also retained. Two others were despatched to Florida and the Canadian frontiers. The company of volunteers (Tennesseans) were a body of respectable citizens, and under their judicious commander, Captain Robertson, of great value as a police force. The Cherokees were receiving from Government immense sums; as fast as decreed by a civil commission (then in session) in the way of damages and indemnities, which attracted swarms of gamblers, sleight-of-hand men, blacklegs, and other desperadoes. The camp was kept cleansed of all such vermin by the military police—a duty which probably would have been resisted if it had devolved on regular troops.

"At length, late in October rain began to fall and the rivulets to flow. In a week or two, the rivers were again navigable. All were prepared for the exodus. Power had said:

"There lies your way, due West."
And a whole people now responded:

"Then Westward—ho!"
They took their way, if not rejoicing, at least in comfort.
"Some natural tears they dropped, but wiped them soon."

"Many of the miseries of life they had experienced; but hope—a worldly, as well as a Christian's hope, cheered them on. Scott followed up the movement nearly to the junction of the Ohio and Mississippi, where he gave his parting blessing to a people who had long shared his affectionate cares. He has reason to believe that, on the whole, their condition has been improved by transportation."

General Scott issued orders to his troops directing the methods to be used in effecting the removal.



GENERAL WINFIELD SCOTT AT AGE OF THIRTY-SIX.
From General Scott's Autobiography.

GENERAL SCOTT'S ORDERS.

"Headquarters, Eastern Division,

Cherokee Agency, May 17, 1838.

"Considering the number and temper of the mass to be removed, together with the extent and fastnesses of the country occupied, it will readily occur that simple indiscretions, acts of harshness and cruelty on the part of our troops may lead, step by step, to delays, to impatience, and exasperation, and, in the end, to a general war and carnage—a result, in the case of these particular Indians, utterly abhorrent to the generous sympathies of the whole American people. Every possible kindness, compatible with the necessity of removal, must, therefore, be shown by the troops; and if, in the ranks, a despicable individual be found capable of inflicting a wanton injury or insult on any Cherokee man, woman, or child, it is hereby made the special duty of the nearest good officer or man instantly to interpose, and to seize and consign the guilty wretch to the severest penalty of the laws. The major-general is fully persuaded that this injunction will not be neglected by the brave men under his command, who cannot be otherwise than jealous of their own honor and that of their country.

"By early and persevering acts of kindness and humanity, it is impossible to doubt that the Indians may soon be induced to confide in the army, and, instead of fleeing to mountains and forests, flock to us for food and clothing. If, however, through false apprehensions, individuals, or a party here and there, should seek to hide themselves, they must be pursued and invited to surrender, but not fired upon, unless they should make a stand to resist. Even in such cases, mild remedies may sometimes succeed better than violence; and it cannot be doubted, if we get possession of the women and children first, or first capture the men, that, in either case, the outstanding members of the same families will readily come in on the assurance of forgiveness and kind treatment.

"Every captured man, as well as all who surrender themselves, must be disarmed, with the assurance that their weapons will be carefully preserved and restored at, or beyond the Mississippi. In either case, the men will be guarded and escorted, except where it may be their women and children are safely secured as hostages; but, in general, families in our possession will not be separated, unless it be to send men, as runners, to invite others to come in.

"It may happen that Indians will be found too sick, in the opinion of the nearest surgeon, to be removed to one of the depots indicated above. In every such case, one or more of the family or the friends of the sick person will be left in attendance, with ample subsistence and remedies, and the remainder of the family removed by the troops. Infants, superannuated persons, lunatics,

and women in helpless condition will all, in the removal, require peculiar attention, which the brave and humane will seek to adapt to the necessities of the several cases."

GENERAL SCOTT TO GOVERNOR CANNON OF TENNESSEE.

"Headquarters, Eastern Division,

Cherokee Agency, Oct. 8, 1838.

"Sir: The long drought, which has not terminated in this quarter until within a week, prevented the emigration of the Cherokees from being renewed at the beginning of last month, as I had intended. The movement, however, has recommenced since the fall of rain, and will now be continued without interruption. One detachment is four days in march, from Fort Payne, DeKalb County, Alabama, which will cross the Mississippi at the Iron banks; one has probably passed the Cumberland mountains; another, on the same road, Walden's Ridge, and a fourth is following. The three latter, and about four more detachments will proceed via Nashville, Golconda, Cape Girardeau and the ridge road of Missouri.

"No military guard will accompany either of the detachments, as it is not doubted that the emigrants will so conduct themselves as to win the esteem of our citizens on the routes; and it gives me great pleasure to be able to say that, in all my transactions with their chiefs and head men, I have not had cause to suspect a single case of bad faith. I shall, however, to some extent, cause the deportment of the parties to be watched, in order, if found necessary, to apply any corrective that may be in my power.

"I enclose a copy of the circular which I have addressed to the conductors of the detachments.

"I have the honor to remain, with high respect, your excellency's most ob't servant,

"WINFIELD SCOTT."

CIRCULAR.

"Headquarters, Eastern Division,

Cherokee Agency, Oct. 4.

"Sir: Writing in reply to a suggestion made to me by the War Department, that it might be necessary to send a guard of soldiers with each detachment of Cherokee emigrants moving by land, I said to the honorable Secretary, Aug. 3, as follows:

"Those agents (the Cherokee delegation) do not deem a military escort necessary for the protection of the emigrants on the route, nor do I. We are equally of the opinion that sympathy and kind offices will be very generally shown to the emigrants by the citizens throughout the movement, and the Indians are desirous to exhibit in return, the orderly habits which their acquired civilization has conferred. The parties, of about one thousand each,

will march without (or with but few) arms, under Indian conductors and sub-officers, all men of intelligence and discretion, who are ready to promise to repress and to punish all disorders among their own people; and if they commit outrages on the citizens or their property, instantly to deliver the offenders over to the nearest civil officers of the States. I have full confidence in their promises and capacity to do all that they are ready to undertake.

"Since the 3rd of August nothing has occurred to change the good opinion then entertained of the Cherokee people, and it is sincerely hoped that their conduct on the road will fully sustain that opinion. Hence it has not yet been thought necessary to appoint a guard to accompany any detachment of emigrants, and I am now anxiously waiting to learn whether the first, second and third detachments conduct themselves as well on the road as I have hoped and expected.

"A copy of this circular will be sent or given to the conductor of every detachment of emigrants for the information and government of all concerned.

"Wishing you and your people comfort and expedition on the road, with all prosperity in your new country, I remain truly a friend of the Cherokees,

"WINFIELD SCOTT."

GENERAL SCOTT TO GOVERNOR GILMER OF GEORGIA.

"Headquarters, Eastern Division,
Cherokee Agency, October 15, 1838.

"Sir: The Cherokees, as it is known, were divided into two political parties, friends and opponents of the treaty of New Echota. Of the former, there were remaining east, in May last about 500 souls, of the latter, including 376 Creeks, a little more than 15,000. About 2,500 of the anti-treaty party were emigrated in June last, when (on the 19th) the movement was suspended by order, until the first of September, on account of the heat and the sickness of the season. The suspension was approved by the War Department, in anticipation, by an order to that effect, received a few days later. The Indians had already, with but very few exceptions, been collected by the troops, and I was further instructed to enter into the arrangement with the delegation, (Mr. John Ross and his colleagues) which placed the removal of the 12,500 immediately into their own hands.

"The drought, which commenced in July and continued until the end of September, caused the loss of a month in the execution of the new arrangement. Four detachments are, however, now in march for the west; three or four others will follow this week, and as many more the next, all by land, 900 miles, for the rivers are yet very low. The other party, making a small detachment, is also on the road, after being treated by the United States, in common with their opponents, with the utmost kindness and liberality.

Recent reports from these five detachments represent, as I am happy to say, the whole as advancing with alacrity in the most perfect order. The remainder of the tribe are already organized into detachments, and each is eager for precedence in the march, except the sick and decrepit, with a few of their friends as attendants, who will constitute the last detachment, and which must wait for the renewal of steam navigation.

"By the new arrangement not an additional dollar is to be paid by the United States to, or on account, of the Cherokees. The whole expense of the removal, as before, is to be deducted from the money previously set apart by the treaty and the late act of Congress in aid thereof.

"Among the party of 12,500, there has prevailed an almost universal cheerfulness since the date of the new arrangement. The only exceptions were among the North Carolinians, a few of whom, tampered with by designing white men and under the auspices alluded to above, were induced to run back, in the hope of buying lands and remaining in their native mountains. A part of these deluded Indians have already been brought in by the troops, aided by Indian runners sent by Mr. Ross and his colleagues, and the others are daily expected down by the same means.

"In your State I am confident there are not left a dozen Indian families, and at the head of each is a citizen of the United States.

"The whole number found here the last summer, most of whom had long been domesticated with the Cherokees, and with whom many of their warriors fought by our side at the battle of the horse shoe.

"For the aid and courtesies I have received from Georgia throughout this most critical and painful service, I am truly thankful; and I have the honor to remain, with high consideration, your excellency's most obedient servant.

"WINFIELD SCOTT."

Niles National Register of December 1, 1838, prints the following from the Hopkinsville, Kentucky Gazette:

"The Third Division of the Emigrating Cherokees camped within a mile of town on the night of the 13th, and passed on the following morning. They appeared to be in pretty good plight, clothing comfortable and provisions plentiful. They received many gifts from our citizens. They were about 1,200 in number."

DEATH OF JOHN ROSS.

John Ross was for 38 years Principal Chief of the Cherokee Nation and died in Washington, D. C., in August 1866. His remains were interred in the cemetery on the banks of the Brandywine near Wilmington, Delaware, near the home of his second

wife. The Cherokee Nation claimed the remains, and that they ought to be reinterred in the Indian country, and sent William P. Ross, his nephew and successor as Principal Chief, to bring the remains back. William P. Ross accomplished his mission and came back with the old Chief's remains and they were buried at Park Hill, John Ross' former home, five miles from Tahlequah. The following speech on the death of the old Chief was delivered in 1866 by William P. Ross:

FUNERAL ADDRESS BY WILLIAM P. ROSS.

My Friends:

"We have come to bury the body of John Ross. We have come to pay homage to his memory as a father, a neighbor, a friend, and the oft chosen ruler of our nation. Upon this sacred eminence where he often followed to their last resting place departed friends. Here he often lingered and pondered, here in the view of that shaded streamlet and picturesque hills of that stately edifice erected through his instrumentality for the education of the daughters of his nation, of the church in which he worshipped, of the blackened ruins of his home, once the abode of peace and refinement, of domestic happiness and enlarged hospitality. Here in the presence of kindred and friends whom he had loved so well, and of the people whom he served through life, and upon whom he bestowed his dying benedictions, we commit to earth the mortal remains of a man who long moved amongst his people without a peer. Possessed of a robust constitution, a sound and well developed body, a vigorous mind and a will that calmly met perplexities of public life and successfully combatted its greatest trials, the time in which he lived and the position he occupied drew around him on the one hand a friendship that never faltered, and on the other caused him to be assailed with a malignity without a parallel. We claim not for John Ross exemption from error and imperfection, but believe that he enjoyed in an eminent degree a power of intellect and endurance, a tenacity of purpose and an earnestness of soul which belong only to great men, qualities which impress themselves upon the character of the day in which their possessors live and send an influence far down the stream of time. * * * * *

"The star that guided John Ross through his long and eventful life sprung from a clear conviction of duty and a firm reliance upon right. It illumined his pathway and directed his purposes. It made him dutiful, affectionate and studious in youth, active and industrious in the avocations of early manhood, firm, hopeful and self-reliant under all circumstances. It gave him courage on the battlefield. It gave him calmness amid the harrassing cares and perplexities of public life. It gave him power in the controversies to which it lead in the defense of the rights of his people at different times with the officers of the government. It gave

him the confidence and affection of his people, such as no other ruler among them ever enjoyed. It sustained him in the last and greatest trial of his life amid official usurpation, contumely, reproach and misrepresentation, stirring the blood of his age, strengthening his enfeebled body and defying death itself until his position was recognized and name vindicated. Fully comprehending the relations of his people to the government of the United States, he was at all times courteous, dignified and respectful in his intercourse with its officers, but fearless and determined in asserting and defending their rights, not given to the trial of expedients and above bribery and flattery, he spurned a resort to either to accomplish his ends. No reviling language escaped his lips in regard to his bitterest foes, nor did vulgar expressions or obscene stories ever pollute them. The temptations of public life never led him into dissipation. Temperate himself, and deplored the sad effects of drinking and drunkenness in others, he was a decided advocate of the temperance cause. A friend to education, he gave liberally of time and means to confer it upon others, and there are not a few who, like myself, are indebted chiefly to his munificence for whatever of knowledge they have acquired. Given to hospitality, strangers and acquaintances were alike welcome to his board, and none left his house hungering. Appeals to his benevolence were not often made in vain, and the humblest who approached him on business or for information, were as promptly and kindly received and attended to as those in more influential positions. Deeply interested in the young, he was by those who knew him greatly beloved. Fond of horticulture he devoted much of the leisure of late years to the improvement and adornment of the yard, the garden and the orchard. A member of the church for many years, he endeavored to advance the cause of religion, diligently read the great book of life and humbly partook of its holy sacraments.

"Such was John Ross. He died at the post of duty, at a most solemn crisis in our affairs; was temporarily interred in the cemetery at Wilmington, Delaware, and has been brought here by authority of the national council for final burial among those whom he so much loved and so long served. It is meet that such action has been had. It is proper that here, should his dust mingle with kindred dust, and that a suitable memorial should arise to mark the spot where repose the bones of our greatest chieftain. It will keep alive within our bosoms a spirit of patriotism. It will impart strength and hope in the hour of adversity. It will teach us to beware of domestic strife and division. It will serve to unite us more closely in peace, in concord and in devotion to the common welfare. It will soften our asperities and excite the thoughtful youth of our land to patience, to perseverance, to success and to renown."

RESOLUTION OF THE NATIONAL COUNCIL.

"The national council having received the official announcement of the death of John Ross, principal chief of the Cherokee Nation, desire to place upon record this humble testimonial in appreciation of the long and eminent services he rendered to the Cherokee people, and as fully expressive of their sense of the loss they have sustained by his death. John Ross was born on the 3rd day of October, 1790, and died in the city of Washington, on the 1st day of August, 1866. In the year 1809, he was entrusted with an important mission by Col. Return Meigs, United States Agent for the Cherokees, and of honest memory, to the Western Cherokees, who were then located on the Arkansas River, above and below Dardanelle Rock. From that period to the close of his life, he was, with the exception of two or three years, in the earlier part of his career, in the constant service of his people, furnishing an instance of confidence on their part and fidelity on his, which has never, perhaps, been surpassed in the annals of history. In the year 1813-14 he was adjutant of the Cherokee regiment under General Andrew Jackson in the war against hostile Creeks, and was present, beside others, at the battle of Tehopeka, where the Cherokees, under Col. Morgan, of Tennessee, rendered distinguished aid. In 1817, at the instance of his life-long friend, James Brown, a major in that regiment, and who only departed this life in the 84th year of his age, at Bentonville, Arkansas, in 1863, a loyal fugitive from home and country, he was elected a member of the national committee of the Cherokee council. The first duty assigned him was to prepare a reply to the United States commissioners, who were present for the purpose of negotiating with the Cherokees for their lands east of the Mississippi, and in a firm resistance to which he was destined a few years later to test the power of truth and to attain a reputation of no ordinary character. In 1819, October 26th, his name first appears on the statute books of the Cherokee Nation, as president of the national committee, and is attached to an ordinance which looked to the improvement of the Cherokee Nation, providing, as it did, for the introduction into the Nation of schoolmasters, blacksmiths, mechanics and others. He continued to occupy that position till 1826. In 1827 he was associate chief with William Hicks, and president of the convention which adopted the constitution of that year. That constitution, it is believed, is the first effort at a regular government with district branches, and powers defined, ever made and carried into effect by any of the Indians of North America. From 1828, to their removal west, he was principal chief of the Eastern Cherokees, and from 1839 to the time of his death, principal chief of the united Cherokee Nation. In regard to events that occurred in his career since 1830, it is not necessary here to speak in detail. The formation of a regular government, the multiplication of schools and the

dissemination of knowledge among the Cherokee people, whereby they were rapidly advancing in the arts and comforts of civilized life, were looked upon with suspicion instead of generous approbation by much of the white population by whom they were surrounded, who were anxious to possess their lands. Every church that was dedicated, every school that was established, every fruit tree that was planted, every home that was erected and made comfortable, served as so many lights to illuminate the minds, and as so many magnets to fasten the affections of the Cherokees to their native hills and streams. The discovery of gold mines in their country only increased the cupidity of the whites, and Georgia became particularly clamorous for their removal, and oppressive in her legislation. The contest which ensued from 1830 to 1838 will ever remain memorable. It awakened an interest among the people of the United States never before felt, and it is to be feared, never again to be revived, in regard to the rights and condition of the Indians. The halls of Congress rung with appeals in their behalf, and the usual monotony of the Supreme Court was broken by the learning and eloquence of some of the most eminent lawyers of the United States. The Cherokees, with John Ross at their head, alone with their treaties achieved recognition of their rights, but they were powerless to enforce them. They were compelled to yield, but not until the struggle had developed the highest qualities of patience, fortitude and tenacity of right and purpose on their part as well as that of their chief. The same may be said of their course after their removal to this country, and which resulted in the reunion of the Eastern and Western Cherokees, as one people, and in the adoption of the present constitution.

"This National Council, having given an expression of its views at their last session in regard to the position assumed by the commissioners of Indian Affairs, D. N. Cooley, and others, at Fort Smith in September, 1865, towards John Ross in connection with events growing out of the rebellion, deem it unnecessary to dwell here upon subjects so recently and fully discussed. That, with many other occurrences in our trying history, as a people, is confidently committed to the future page of the historian. It is enough to know that because he was too sick to attend, the treaty negotiated at Washington would have borne the full and just recognition of John Ross' name as Principal Chief of the Cherokee Nation, and that 'Truth tho' crushed to earth will rise again,' because the eternal years of God are all His own.

"Blessed with a fine constitution and a vigorous mind, John Ross had the physical ability to follow the path of duty wherever it led. No danger appalled him. He never faltered in supporting what he believed to be right, but clung to it with a steadiness of purpose which could alone have sprung from the clearest convictions of rectitude. He never sacrificed the in-

terests of his nation to expediency. He never lost sight of the welfare of the people. For them he labored daily for a long life and upon them he bestowed his last expressed thoughts. A friend of law, he obeyed it; a friend of education, he faithfully encouraged schools throughout the country and spent liberally his means in conferring it upon others. Given to hospitality none ever hungered around his door. A professor of the Christian religion he practiced its precepts. His works are inseparable from the history of the Cherokee people for nearly half a century, while his example in the daily walks of life will linger in the future and whisper words of hope, temperance, and charity in the ears of posterity.

"Your committee recommend that this brief memorial be spread upon the journals of the national council, and the adoption of the following resolutions:

"1st. That the National Council have received with profound regret the official announcement of the death of John Ross, Principal Chief of the Cherokee Nation, which occurred at Washington City on the 2nd of August 1866, in the 76th year of his age.

"2nd. That in his death the Cherokee people have lost a great chieftain, eminently distinguished by public services for half a century, by constant and enlightened efforts to advance their welfare, and by unyielding adherence to their rights and interests during his long and uninterrupted official career.

"3rd. That it is appropriate that his remains should rest among those he so long served.

"4th. A committee of two be appointed whose duty it shall be to convey to this country his remains, at the expense of the Cherokee Nation.

"5th. That a committee of five be appointed whose duty it shall be to provide for suitable obsequies on the arrival and interment of his remains, and to recommend the ways and means for erecting a suitable monument over his remains."

Having given the history of the final removal to the Indian country, our story about the Cherokees might very well here close, especially as the limitations of this book end with the death of Jackson in 1845; but, as the balance of the story unfolds how the Cherokee Nation came to its final end, and disappeared from the map of the world on March 4, 1906, by being absorbed into the great mass of American citizens—its independent nationality and its separate territory becoming but as a dream in the night—it may be worth while to finish the narrative to the final act, when the curtain was rung down for all time upon the Cherokee drama. They played their part as a nation on the broad, new stage of this western world for 366 years as we certainly know—from the advent of De Soto in 1540 to March 4,

1906, when the curtain fell, and during this period, they kept the same name, adhered to the same manners and customs, worshipped the same Great Spirit, spoke the same language, and maintained possession of substantially the same parts of the United States. The white man's civilization, however, was too much for them, and step by step, acre by acre, mile by mile, they were pushed back, and gave back, until the end came.

They are rated as the most intellectual of all the Indian tribes. Sequoya, also called George Guess, or Gist, invented an alphabet for them, and their natural quickness soon enabled them to make wonderful progress. Sequoya's father was a white man, and his mother an Indian woman. His alphabet was the means of many translations being made into the Cherokee language. The date of his birth is put at 1760, and the place Tuskegee Town, near Fort Loudon. The surmise is that his father was one of the soldiers in Fort Loudon for whom, during the siege, Indian women risked their lives by carrying food and supplies secretly to the fort. He never learned to speak or write English, and never abandoned his native religion. He was a cripple for life. In 1823 the Cherokee National Council presented him a silver medal in commemoration of his invaluable service to his people by the invention of the alphabet. In the treaty of 1828 the United States Government consented for a provision to be inserted giving him \$500.00 "for the great benefit he has conferred upon the Cherokee people in the beneficial results which they are now experiencing from the use of the alphabet discovered by him."

In 1823 he took up his permanent abode with the Cherokees west of the Mississippi River and never returned east again. He died in 1843, near San Fernando, Mexico.

In 1827 the Cherokee Council determined to establish a paper in the Cherokee language, and the type was cast in Boston under the supervision of the missionary Samuel A. Worcester, and the first issue came out on February 21st, 1828, in both the English and the Cherokee languages, with Elias Boudinot as editor; the paper to print it on was transported from Knoxville, Tennessee. "The Phoenix," as it was called, lived for six years, and suspended owing to the adverse action of the Georgia authorities who threw Worcester and John F. Wheeler, one of the compositors, into jail.

Numerous Bible translations, hymn books, spelling books, arithmetics, other school books, the Cherokee Messenger, a

periodical, the Cherokee Almanac, and Annual, and the laws of the Cherokee Nation, have all been printed in Cherokee. Sequoya's alphabet and the instant, wide-spread and enthusiastic use of it by his people, and the incalculable advantages derived from it, constitute one of the miracles of civilization, and this lame Cherokee inventor, a bastard cross between a white man and an Indian woman, will be one of the marvels among men through all history.

A REUNITED NATION.

In July, 1839, the eastern and western Cherokees united under one government, selected "Cherokee Nation" as their corporate name, adopted and proclaimed a constitution, passed laws for the government of the people, chose Tahlequa as the capital of the nation, created and opened courts of justice, and established eleven public schools. They lived under that constitution subsequently amended as long as they had a separate government.

The organization of the government under the new Constitution consisted of a principal chief, assistant principal chief, Executive Council of five, a Senate composed of representatives from five districts, a Council composed of representatives from three districts, a Supreme Court composed of a Chief Justice and four associate Justices, two circuit judges, eight District Judges, three Sheriffs, and one Superintendent of Public Schools.

John Ross was the first Principal Chief, and George Lowry the First Assistant Principal Chief.

The National Council in 1843 authorized the publication of the Cherokee Advocate, a newspaper, and the first issue came out in September, 1844, with William P. Ross as editor.

The treaty of New Echota brought the Eastern Cherokees to the Indian country of the West, but wholly failed to bring peace with them. Factional differences of a violent and bloody character followed year after year, murders were committed and general and dangerous unrest was everywhere. The Civil War came on and the majority of the Cherokees favored the South, but there was an union element among them and so the nation divided. Both armies swept the country and when the conflict was over their condition was pitiable indeed; but that condition was no worse than other parts of the South, and they had to join the Southern section in rebuilding the waste places of the war.

We know of no better way to close this chapter than to refer to the finest thing in Cherokee history, namely, the life-long devotion of John Ross to the Cherokees of the full blood, who were an overwhelming majority of the race, and the unswerving devotion of those same Cherokees to him. Ross was principal chief of the East Cherokees and, after the removal, of the United Cherokees—in all 38 years. He had at all times enemies who would have been delighted to know that he had been assassinated, and the wonder is he was not assassinated. He was a leader among the Cherokees from young manhood. He handled, or shared in the control of millions of dollars, and died poor, which may be accepted as conclusive proof of honesty in him, or, in any other politician who so dies. Corrupt politicians do not usually die that way.

His personal courage must have been unquestionable, for in all the stormy period he lived through, it took a physically brave man to lead and face the dangers and responsibilities he had to meet; but there is no evidence that he ever quailed or failed to measure up in courage to every situation that came his way.

But the marvel of it all is that through so long a life the Cherokees never wavered in their trust and confidence in him. His following was such an overwhelming majority as to leave his competitors for leadership competitors in name only. It has rarely if ever happened in the history of tribes, states or nations, that Ross' record in leadership has been duplicated.

The picture of him in this volume is the one the historians all accept as authentic, but this picture does not exhibit a great man, or, one possessing the great and dominating qualities necessary to enable one to accomplish the great achievement of Ross, which covered one year more than three quarters of a century, from 1790 to 1866. John Ross was of mixed blood, his father being Daniel Ross a full blooded Scotchman, and his mother a quarter blood Cherokee woman, a daughter of John McDonald another full blooded Scotchman. He was educated at Kingston, Tennessee.

The removal of the Indians from East Tennessee was entrusted by the United States Government to the Honorable Luke Lea as Indian Agent. Mr. Lea was one of the leaders in our early history, and was born in 1792 and died in 1851. His family has made history in Tennessee. He grew up near Knoxville, served as a soldier in the Indian wars, and for many years was cashier of the old State

Bank at Knoxville. When Jackson was in the midst of his difficulties on his way to fight the Creek Indians, Judge Hugh Lawson White, Luke Lea and Thomas L. Williams, started from Knoxville for his encampment to see if they could render him any aid. This was a long and perilous journey through the wilderness, but it was successfully accomplished. They reached the East Tennessee troops at Fort Armstrong on the Coosa River November 13, 1812, and from there proceeded on the morning of November 14, and reached General Jackson's encampment on the 18th at twelve o'clock. The result of this trip was that Colonel John Williams, commander of the thirty-ninth regiment of the regular army, and a brother-in-law of Judge White, was persuaded by Judge White to go to Jackson's rescue.

This journey of Judge White, Mr. Lea and Mr. Williams has never received from the writers on Tennessee history any consideration except the mere statement of the fact that it was undertaken; and by this neglect gross injustice has been done to three East Tennesseans who performed an extraordinary and very perilous and patriotic duty. Between Knoxville and Fort Armstrong was a wilderness at that time infested by the Cherokees and the Chickamaugas, two of the bloodiest and most relentless of all Indian tribes. The object of the trip was one of patriotism only, namely, to see if aid could be rendered General Jackson. The distance was probably one hundred and fifty miles, and the result of the trip was to procure the sending of the 39th regiment to Jackson's aid, which led the assault on the stockade at the battle of the Horseshoe. A trip of similar danger taken today would be heralded as a feat of heroic courage.

A similar feat of personal daring was when Captain John Gordon of the Spies was sent by General Jackson from Fort Strother with a letter to Maurequez, the Governor of Pensacola, Florida. Captain Gordon started on this hazardous trip with one companion, who, for some reason, turned back, but the Captain who is designated by Parton in his "Life of Jackson" as "the famous and eccentric spy captain of the Creek war," proceeded on the journey alone to Pensacola, delivered Jackson's letter to Governor Maurequez, had an interview with that Spanish dignitary, and returned alone to Jackson, at Fort Strother. Verily, those were heroic days in Tennessee! Would that some Homer might be born to sing of them, or some Chaucer to write, not another Canterbury Tales, but of the journey of the three East Tennesseans to the aid of Gen-

eral Jackson, and of the Scotch Gordon to bear the letter to Governor Maurequez.

In 1833 Mr. Lea was elected Member of Congress from the Knoxville District; next, he was land agent for East Tennessee, and Secretary of the State of Tennessee 1835-1839.

At one time he is said to have had in his possession as Indian Agent over \$300,000.00 to settle Indian claims at the time of the removal, and that this money was kept in an iron safe at Athens, Tenn.

He was thrown from his horse and killed near Independence, Missouri, where he had gone as Special Indian Commissioner, by appointment of President Fillmore.

Captain Henry B. Henegar, deceased, whose home was at Charleston, Tennessee, where he passed the greater part of a very useful life, and who left an honorable name behind him, as a young man of about twenty-four years accompanied the Removal which started at Charleston in October, 1838. He was requested by a correspondent at Frankfort, Kentucky, to give him an account of the route and trip to the Indian Territory, and Captain Henegar replied on October 25, 1897. The original of the reply is now in the possession of his daughter, Mrs. W. B. Allen, of Dayton, Tennessee.

CAPTAIN HENEGAR'S LETTER.

"Charleston, Bradley County, Tenn., on the Hiwassee River, was the starting point and the place where the Ross party was collected. Gen. Scott was stationed here with the U. S. troops. The spot where my residence now stands was the barracks. The regular soldiers were assisted by several companies of militia but not much difficulty was encountered in collecting them as John Ross' influence was so great that they came in at his request, he having effected a liberal compromise with the government, the Indians being well paid for all they possessed. John Ross took the contract for their removal, which he afterwards let to Lewis Ross, who was a better business man. There were supposed to be 10,000 Indians that went from here. They were divided into detachments of 1,000 each; I belonged to the Q. M. department of the eighth, called Taylor's detachment, assisted Red Watt Adair. The first detachment started from here in October, 1838. There were some five or six days' difference between the start of the different detachments. I left Nov. 10. The Indians all went the same route. We crossed the Tennessee at the mouth of the Hiwassee at Blythe's ferry; went across Walden's Ridge to Pikeville; thence to McMinnville; thence over to Nashville. After crossing the river there we went to Hopkinsville, Ky., crossed the Ohio River at Golconda; thence through Southern Illinois to Green's Ferry on the Mississ-

ippi River. Our detachment was stopped twenty miles from the river at Gore's encampment for those ahead to get across the Mississippi. After the way was open we went on to the river and commenced to cross and were detained over three weeks, I having charge of those left on the east side. After that we continued our journey through Southern Missouri by way of Springfield, thence to Fayetteville, Ark.; thence to the nation, arriving at Park Hill, where John Ross had located himself, on March 25, 1839. The various detachments disbanded when we reached the nation, and went to different localities. John Ross retained me in his employ to sell off the public property. We took his family and others out by water, having purchased a steamboat for that purpose. They started from Chattanooga, then called Ross' Landing. His wife died on the way out and was buried at Little Rock, Ark. He was kindly received by the old settlers—that is, the Cherokees who had gone out some years previous, but not the Ridge party. It was agreed on by the old settlers and Ross' party that they should go into council on the first of June, at Double Springs, now Talequah, the capitol, and that old lines should be wiped out, and elect new officers by the people and form a new constitution. They met in council as agreed upon, but the old settlers backed out and wanted the Ross party to come under them. This aroused the old grudge between the Ridge and Ross parties, as the latter felt that the former had interfered with the old settlers and had used their influence against them. After remaining in ten or twelve days Ross came home without accomplishing anything. Two days later news came from the mission, a mile away, where Boudinot lived, that he had been killed. Mr. Ross sent men to ascertain the facts in the case. They found him dead, lying between the mission and a new house he was having erected. Boudinot had charge of the public medicines. That morning three Indians called for medicine, and he started for the new house to get it for them. His wife stated that two walked with him and one dropped behind and struck him in the head with a —————, killing him instantly. Mrs. Boudinot was a white woman and a most excellent lady. She directed Ross' men to hurry back and tell him he had best go to the fort for protection as Standwady, Boudinot's half-brother, was gone to Flint to get Jack and Sam Bell to raise a company to come and kill Ross for revenge, as she did not want any further bloodshed. As custodian of public property he could not go to the fort, but requested Tom Clark, his principal clerk, to write to Gen. Arbuckle, who was in command at Fort Gibson, to send troops for his protection. The clerk was so excited he could not write. He then directed another; he also failed in the attempt. He himself then wrote it and turning around said, 'Who will take this?' No one replied, and turning to me he said, 'Henegar, will you?' I answered that I would. He then directed me to go to the lot and get the best mule or horse there and get back as soon as I could. I left at 1 o'clock; it was twenty miles to the fort. I struck a gallop

and kept it up most of the way. I delivered the letter to General Arbuckle. He said 'Tell Ross I cannot send troops there but if he will come here I will protect him.' I again struck a gallop and when about half way back the mule I was riding fell down from exhaustion. I pulled the saddle from him and went to a home close by. There I procured a horse and continued my journey, reaching P. H. at 5 o'clock. When I got there about fifty armed Indians had arrived to protect Ross. By the next morning Standwady, Jack and Sam Bell, with their party, came in sight on the prairie, but finding he was outnumbered turned and went around to the mission. We afterwards learned they went in the direction of the fort. By the next day there were 600 of Ross' friends there armed. To them Ross made a speech and said, 'All in favor of pursuing them make it known.' They all gave a grunt and mounted their horses in pursuit. The Bell party having gone into fort no trouble ensued.

"In the meantime it was ascertained that two other signers of the treaty had been killed the same morning in accordance with a secret understanding. Jack Bell was the only signer of the treaty that escaped, he being absent from home. Jack Walker was mortally wounded near his home, eight miles from this place, a few days after the treaty was signed. It was claimed by the Ross party that they had traded away their land without due authority, and it was a law of the general council if any man or set of men should trade away their country without being authorized, that they should be killed at any time or place they should be found. Jack Walker was an educated man. His wife was Miss Emily Meigs, a granddaughter of Return J. Meigs, of Revolutionary fame. All the signers of the treaty were men of education and considerable wealth. Boudinot, in particular, was a man of high attainments and generally beloved. The impression is abroad that Ross was an overbearing and unscrupulous man. I was in his employ for fifteen months and at all times found him to be an honorable, upright man. I am firmly of the opinion he had nothing to do with the putting to death of the signers of the treaty. I overheard Sam Houston say that John Ross was as great a statesman as John C. Calhoun, Daniel Webster or Henry Clay. He had been thrown with him at Washington and in their younger days at this place (meaning Charleston)."

PASSAGE OF INDIANS THROUGH ARKANSAS.

Everything connected with the removal of the Indians to the west of the Mississippi, whether the great Removal of 1838, or those of earlier dates, is interesting to the people of Tennessee who fought so hard to plant the white man's civilization in this State; and a statement of William E. Pope in his "Early Days in Arkansas" illustrates in a very graphic way the passage of Indians through Arkansas. His statement is as follows: "About the first of No-

vember 1832, shortly after my arrival in Arkansas, there passed through Little Rock six or seven thousand Choctaws and Chickasaw Indians from North Mississippi and West Tennessee, on their way to their new homes in the Indian Territory. The presence of this vast body of Indians with their household goods, cattle and ponies, made a sight never to be forgotten. These Indians were attended by several United States Officers and surgeons. Two days before they reached Little Rock an officer arrived in town and warned the citizens of the thieving propensities of the lower class of the Indians, and advised them to close their stores and dwellings while they were passing through. With all the diligence that could be displayed, many articles of the utmost uselessness to the Indians disappeared from the yards of private residences. This body of Indians was several days in crossing the river, although hurried out of town as rapidly as possible. They had a great desire to loiter and spy around and had to be driven almost like sheep. Most of the males wore only the breech-cloth, leggings and moccasins, the latter profusely ornamented with variously colored beads and porcupine quills. They were, for the most part, a fine looking body of men. The women rode ponies, manwise, and had their papooses slung in the blankets on their backs. These two tribes were attended by their principal chiefs, Pittman Colbert and Greenwood Laflore, a French-Choctaw halfbreed. These men were well educated and had considerable refinement. They were very wealthy and traveled in great style and comfort, had large roomy carriages and numerous baggage wagons, and large numbers of negro slaves. Their state and authority resembled that of the patriarchs of old. * * * The spring of 1833 witnessed the arrival of another large body of Indians bound for the nation. These Indians were dreadfully scourged by the ravages of cholera, which invaded their ranks when they reached the Mississippi River at Memphis. Large numbers of them died on the march. It was said that their route westward from the Mississippi was strewn thick with graves."

MARKER AT FORT LOUDON.

Civilization when it first dared to raise its head in Tennessee, was to be baptized in a sea of blood, and crushed with horrors, murders, death, and assassinations as cold as the ice of the farthest North.

England was the first country to plant its flag in Tennessee, and hoist it flying in the breeze from a fort where English soldiers were

to protect the frontiers, and give the white man his first standing room in the wilderness. England planted a white oasis in this trackless wilderness, which was a gleam of white in the midst of a savagery of red, one little spot set down by the long arm of British power upon which to base the conquest of the imperial Mississippi Valley. This oasis was called "Fort Loudon," established in 1756, and captured and destroyed by the Indians in 1760. Both at the time of the building of the fort and its destruction, there was not a white man living elsewhere on the soil of the future commonwealth of Tennessee.

The sad story of Fort Loudon illustrates all that is heroic and splendid in the character and courage of the white man; also all the bloodiest and worst in the character and courage of the savage Indians.

In fancy we can see the lives of the soldiers and the settlers about the fort who came to it for protection. We can almost feel the daily dread that they felt of horrible things that might happen at any time. We can in fancy depict the lonely existence, the deprivation of those comforts which make life tolerable, the isolation, the awful silence in the vast primeval forests. We conclude, when we think of these things, that heroism never mounted to loftier heights, and that the civilization of the white man never had champions upon whom it could more absolutely rely. It was a life and death struggle between two races, and the red man triumphed, and the fort was destroyed, and men, women and children were massacred. One of the bloodiest pages in all the tide of time was then and there written.

Friday morning, November 9, 1917, the Tennessee Society of Colonial Dames unveiled a marker at Fort Loudon with impressive exercises. Mrs. James H. Kirkland of Nashville, President of the Tennessee Society, presided, and there were a number of features of interest on the program. The historical address was made by President John H. DeWitt of the Tennessee Historical Society. The marker is of Tennessee stone, containing the inscription:

"Fort Loudon, constructed by the English in 1756 to help win the Valley of the Mississippi. Captured by the Indians under French influence in 1760."

J. C. Anderson, owner of the site of Fort Loudon, donated land one hundred feet square for the marker.

The address of Mr. DeWitt is too long to be reproduced in full. The following are extracts from it:

"One hundred and fifty-seven years ago there was enacted upon this beautiful spot a tragic drama which terminated the first attempt at permanent occupation by the white people in Tennessee.

"The dramatic background may best be described by showing that here beside these beautiful streams and majestic mountains lived the Overhill Cherokees. One-half mile above the spot where we stand was the town of Toskegee. About two miles further on the same side was the Indian town of Tomotley, at the mouth of Ball Play creek. About fifteen miles above was the town of Tennessee. About two miles above Tennessee was Chote. About two miles above Chote was Settacoo. About two miles above Settacoo was Halfway Town. About two miles above Halfway Town was Chalhowey. About five miles above Chalhowey, on both banks of the Little Tennessee, was the town of Tallassee.

"Among these mountains, where the chain of the Alleghanies and Blue Ridge meet, the Cherokees, a brave, sturdy tribe of Indians, lived. Southeast of their villages were the headwaters of the Savannah River, and down those of the Little Tennessee was the Cherokee path leading southeasterly to Charleston and the Atlantic Seaboard. They had two other highways, one down their river and up the Emory, then down the South Fork of the Cumberland into the 'Bloody Ground'—the other leading from Chote into Virginia, passing some six miles to the south of Knoxville, crossing the Holston at the islands near Underdown's Ferry, and extending as far as Richmond, Va. These two were called war paths.

"Southwesterly among the fastnesses around Lookout Mountain lived the Chickamaugas, and upon the streams and along the villages running from here to the great bend of the Tennessee River, there was easy and frequent communication with these Indians. So they lived for more than a century in this condition of seclusion from the white man."

* * * * *

FORT LOUDON ERECTED.

"In 1756 Fort Prince George was built on the land of the Catawbas, near Keowee, by Gov. Glenn of South Carolina.

"In that same year after laborious preparations and in consequence of donations by Prince George himself, and by the colonies of Virginia and South Carolina, Fort Loudon was erected here on the southern bank of the Tennessee River in what is now Monroe County, near the point where the Tellico river runs into the Little Tennessee, more than thirty miles southwest of Knoxville. It was built by General Andrew Lewis, the chief engineer of the British troops, under the direction of the Earl of Loudon.

This was the first Anglo-American settlement in Tennessee, and its romantic and melancholy story is an introduction to the history of Tennessee.

"The expedition consisted of one hundred regular soldiers of the king and one hundred provincial troops, together with about forty artisans, mechanics and farmers, and they carried some two score horses and a number of hunting dogs. The commander of the expedition was the celebrated James Stuart, who had been foremost in defense of the colonies against Indian raids and negro uprisings; but on account of some differences with the civil authorities he was ranked by Capt. Demere, who though he had a French name, was a sturdy Scotchman.

"On this rocky ledge, jutting upon the river, overlooking these deep waters bending around it, Fort Loudon was erected. The ridge was cleared of heavy timber within the enclosure and as far away as a rifle shot beyond. A deep ditch was dug across the ridge, extending out across the plain and thence to the river, including about two and a half acres of ground. Within the enclosure a well was dug and walled up. The fort was securely built of heavy logs, square in shape, with blockhouses and bastions connected by palisades, which were trunks of trees embedded in the earth touching each other, and sharpened at the top, with loopholes at the proper places. It was made so secure that with ample provisions any garrison could endure a long siege by many time their number. Ten cannon and two guns called coehorns, said to have been contributed as the result of a donation out of the private purse of Prince George, were mounted upon the ramparts, or platforms. These cannon were probably brought over the mountain on packhorses, as no wagon road had ever been cut through that wilderness. Here, five hundred miles from Charleston, in a place to which it was very difficult at all times, but in case of war with the Cherokees, utterly impracticable, to convey necessary supplies, the garrison was placed, and the Indians invited to the fort. A thriving settlement grew around the fort with the arrival of traders and hunters. They began to cultivate the land. This was the first cultivation of land in what is now Tennessee, and the field around this spot is the oldest land in point of cultivation in our State.

"Thus they lived and maintained this lone outpost until signs arose of the terrible tragedy which in August, 1760, terminated this settlement."

FORT LOUDON DOOMED.

"It was no wonder that Fort Loudon, this far-projected spur of civilization, was the first to notice and suffer from the disaffection of the Indians. The soldiers, making incursions into the woods to procure fresh provisions, were attacked by them and some of them were killed. Constant danger threatened the garrison. The settlers were drawn into the fort. Communication with the

settlements across the mountains, from which they derived their supplies, was cut off. Parties of the young warriors rushed down upon the frontier settlements and the work of massacre became general along the borders of the Carolinas. * * * * *

"All this time the garrison of Fort Loudon had been besieged, so that now they were reduced to the dreadful alternative of perishing by hunger or submitting to the mercy of the enraged Cherokees. The two hundred miles between it and Fort Prince George were so beset with dangers and so difficult was it to march an army through the barren wilderness, that no further attempt at relief was made. The garrison was near starvation. For a month they lived on the flesh of lean horses and dogs and a small supply of Indian beans, procured stealthily for them by some friendly Cherokee women. Blockaded and beleaguered night and day by the enemy, with starvation staring them in the face, they threatened to leave the fort and die, if necessary, by the hands of the savages. Then Capt. Stuart, resourceful and brave, summoned a council of war. They agreed to ask for the best terms possible and leave the fort. Stuart slipped down to the consecrated city of Chote, where no Indian dared molest him. He obtained terms of capitulation, which were: 'That the garrison of Fort Loudon march out with their arms and drums, each soldier having as much powder and ball as the officer shall think necessary for the march, and all the baggage they choose to carry; that the garrison be permitted to march to Virginia or to Fort Prince George, as the commanding officer shall think proper, unmolested; that a number of Indians be appointed to escort them, and aid them in hunting for provisions during the march; that such soldiers as were lame or disabled by sickness from marching be received into the Indian towns and kindly used until they recover, and then be allowed to return to Fort Prince George; that the Indians to provide for the garrison as many horses as they conveniently can for their march, agreeing with the officers and soldiers for payment; that the fort, great guns (cannon), powder, ball and spare arms, be delivered to the Indians without fraud or further delay, on the day appointed for the marching of the troops.'

"In pursuance of these stipulations, on August 7, 1760, the white people, after throwing their cannon into the river, with their small arms and ammunition, except what was necessary for hunting, broke up the fort and commenced the march into the settlements in South Carolina. That day they marched fifteen miles toward Fort Prince George. At night they encamped near Taligua, an Indian town, where their Indian attendants all suspiciously deserted them. A guard was placed around the camp. At break of day the treachery was revealed. A soldier came running in and told them that he saw a vast number of Indians, armed and painted creeping toward them. They had hardly time to form to meet the attack before the savages poured in among them a heavy fire, accompanied with hideous yells. The thousands of savages

were too many for the two scant companies of half-starved regulars and a motley following of settlers, with wives and children."

* * * * *

"The story of old Fort Loudon has naturally been invested with romantic and melancholy interest. It was the first and last capture and surrender of a fort and massacre of the garrison within the limits of Tennessee. For eight years after this destruction there were no settlements attempted within this territory. But in 1768, when William Bean built his cabin near Boone's creek, he began the continuous occupation by the white man which developed finally into our great commonwealth. It was, after all, the settlement by a few from Virginia and North Carolina along the Watauga, who thought they were in Virginia, that constituted the foundation of our present civilization. A long line of heroes, statesmen, and sturdy citizens has come from the people of those days.

"The enmities and rivalries which caused the erection and then the destruction of Fort Loudon, have long since disappeared, and today the glorious descendants of those Frenchmen and British are fighting together, shoulder to shoulder, and heart to heart, for the sake of democracy in Belgium and France."

CHAPTER 15.

The Cherokees—Timberlake's Memoirs of Water Journey from Long Island to Cherokees on Little Tennessee River.

TIMBERLAKE'S MEMOIRS.

These memoirs were published in London in 1765, with the following title page:

"THE MEMOIRS OF
LIEUT. HENRY TIMBERLAKE,
(Who accompanied the three Cherokee
Indians to England in the year 1762.)

CONTAINING

"Whatever he observed remarkable, or worthy of public notice during his travels to and from that Nation; wherein the Country, Government, Genius and Customs of the Inhabitants are authentically described.

ALSO

"The Principal Occurrences During Their Residence in London. Illustrated with an accurate map of their Over-Hill Settlement, and a curious Secret Journal, taken by the Indians out of the pocket of a Frenchman they had killed.

LONDON:

"Printed for the Author, and sold by J. Ridley, in St. James Street, W. Nicoll, in St. Paul's Church Yard, and C. Henderson, at the Royal Exchange."

They are as certain to perpetuate the young Lieutenant who wrote them as has the Journal of Col. John Donelson describing his more famous water journey "in the good boat Adventure" from Great Island to Nashville, given Donelson deathless renown in the pioneer history of Tennessee. Donelson's journey was about 985 miles, and Timberlake's about 140, in an open canoe. This journey of Timberlake is set out in The Memoirs, a little

volume of 160 pages, and, as far down as the junction of the Little Tennessee and the Holston, now Tennessee, at the present Lenoir City, was over the same waters that Col. Donelson travelled.

Timberlake was a Virginian by birth, whose father, dying when he was a minor, left him some means, but not enough for his support without an income from some employment. He had always wished to be a soldier and he joined the army and saw his first service in 1756 in a company called the Patriot Blues. He next applied for a commission in a regiment commanded by George Washington, but there was no vacancy. In 1758 he secured an Ensign's position in Col. William Bird's regiment, and, also, was made Cornet in a troop of light horse. In 1759 he served in a campaign under Gen. Stanwix, and saw various military service from that time to the spring of 1761, when he entered on a campaign under Col. Stephen against the Cherokees, which connected him with Tennessee history.

There is a charm in the evident simplicity, candor and sincerity of Timberlake's narrative, and we find no difficulty in believing what he says. His description of the Cherokees, their home-life, war-life and customs generally, at a time when they were at peace, and were entertaining him as a guest, come among them to make peace more secure and lasting with the English, afford numerous scenes which the hand of a master with the brush could cause to live as long as his story. The quotations we make are not consecutive in his book. It would be a boon to lovers of Tennessee history if some devotee of our pioneer days would publish another edition of his *Memoirs*.

He begins his story at Great Island, also called Long Island, in the Holston River at the present Kingsport, Sullivan County, Tennessee. He started on his journey to the Cherokee country November 28th, 1761, and arrived at Slave-Catcher's house on the Little Tennessee, opposite the mouth of Tellico, 22 days later, December 22, 1761. He started back to Great Island on March 10th, 1762, and arrived there March 19th, 1762.

"In the spring of 1761 I received orders to return to my Division, which was to proceed to the southward, and join the other half against the Cherokees. Soon after this junction we began our march towards the Cherokee country. Col. Byrd parted from us at a place called Stalnakres, and returned down the country, by which the command devolved on Col. Stephen. We marched, without molestation, to the great island on Holston's River, about 140 miles from the enemy's settlements, where we immediately

applied ourselves to the construction of a fort, which was nearly completed about the middle of November, when Kanagatucko, the nominal king of the Cherokees, accompanied by about 400 of his people, came to our camp, sent by his countrymen to sue for peace, which was soon after granted by Col. Stephen, and finally concluded on the 19th instant. All things being settled to the satisfaction of the Indians, their king told Col. Stephen he had one more favour to beg of them, which was, to send an officer back with them to their country, as that would effectually convince the nation of the good intentions and sincerity of the English towards them. The Colonel was embarrassed at the demand; he saw the necessity of some officer's going there, yet could not command any on so dangerous a duty. I soon relieved him from this dilemma by offering my service.

"The 28th was fixed for our departure; but on making some inquiries about our intended journey, the Indians informed me that the rivers were, for small craft, navigable quite to their country; they strove, however, to deter me from thinking of that way, by laying before me the dangers and difficulties I must encounter; almost alone in a journey continually infested with parties of northern Indians, who, though at peace with the English, would not fail to treat, in the most barbarous manner, a person whose errand they knew to be so much against their interest. They professed themselves concerned for my safety, and intreated me to go along with them: but as I thought a thorough knowledge of the navigation would be of infinite service, should these people ever give us the trouble of making another campaign against them, I formed a resolution of going by water; what much conduced to this, was the slowness they march with when in a large body, and the little pleasure I could expect in such company. On the day appointed the Indians set out on their journey, and a little after I embarked on board a canoe to pursue mine: my whole company consisted of a sergeant, an interpreter and servant, with about ten days' provisions, and to the value of twenty odd pounds in goods to buy horses for our return: this was all our cargo, and yet we had gone not far before I perceived we were much too heavy loaded; the canoe being small, and very ill made, I immediately ordered my servant out, to join the Indians, giving him my gun and ammunition, as we had two others in the canoe; little could I foresee the want we were soon to experience of them. We then proceeded near two hundred weight lighter, yet before we had gone a quarter of a mile, ran fast aground, though perhaps in the deepest part of the stream, the shoal extending quite across. Sumpter, the sergeant, leaped out, and dragged us near a hundred yards over the shoals, till we found deep water again. About five miles further we heard a terrible noise of a water-fall, and it being then near night, I began to be very apprehensive of some accident in passing it: we went ashore to seek the best way down; after which taking out all the salt and ammunition, lest it

should get wet, I carried it along the shore, while they brought down the canoe; which they happily effected. It being now near dark, we went ashore to camp about a mile below the fall. Here we found a party of seven or eight Cherokee hunters, of whom we made a very particular inquiry concerning our future route: they informed us, that, had the water been high, we might from the place we then were, reach their country in six days without any impediment; but as the water was remarkably low, by the dryness of the preceding summer, we should meet with many difficulties and dangers; not only from the lowness of the water, but from the northward Indians, who always hunted in those parts at that season of the year. I had already been told, and fortified myself against the latter, but the former part of this talk (as they term it) no way pleased me; it was however, too late, I thought, to look back, and so was determined to proceed in what I had undertaken. We supped with the Indians on dried venison dipped in bears oil, which served for sauce. I lay (though I was too anxious to sleep) with an Indian on a large bear-skin and my companions, I believe, lodged much in the same manner.

"Early next morning we took leave of our hosts, and in less than half an hour began to experience the troubles they had foretold us, by running aground; we were obliged to get out and drag the canoe a quarter of a mile before we got off the shallow; and this was our employment two or three hours a day, for nineteen days together, during most part of which the weather was so extremely cold that the ice hung to our clothes, from the time we were obliged to get in the water in the morning, till we encamped at night. This was especially disagreeable to me, as I had the courses of the river to take for upwards of two hundred and fifty miles.

"We kept on in this manner, without any remarkable occurrence, till the 6th of December, when our provisions falling short, I went ashore with the interpreter's gun to shoot a turkey; singling one out, I pulled the trigger, which missing fire, broke off the upper chap and screw-pin; and, as I could find neither, after several hours search, rendered the gun unfit for service. M'Cormack was not a little chagrined at the loss of his gun; it indeed greatly concerned us all; we had now but one left, and that very indifferent; but even this we were shortly to be deprived of, for we were scarce a mile from this unlucky place, when seeing a large bear coming down to the water-side, Sumpter, to whom this remaining gun belonged, took it to shoot; but not being conveniently seated, he laid it on the edge of the canoe, while he rose to fix himself to more advantage; but the canoe giving a heel, let the gun tumble overboard. It was irreparably gone, for the water here was so deep that we could not touch the bottom with our longest pole. We were now in despair. I even deliberated whether it was not better to throw ourselves overboard, as drowning at once seemed preferable to a lingering death. Our provisions were consumed to an ounce of meat, and but very little flour, our guns were lost and

spoiled, ourselves in the heart of the woods, at a season when neither fruit nor roots were to be found, many days journey from any habitation, and frequented only by the northern Indians, from whom we had more reason to expect scalping than succour.

"Entering the Tennessee River we began to experience the difference between going with the stream, and struggling against it; and between easy paddles, and the long poles with which we were constrained to slave, to keep peace with the Indians, who would other wise have laughed at us. When we encamped about ten miles up the river, my hands were so galled that the blood trickled from them, and when we set out next morning I was scarce able to handle a pole.

"Within four or five miles of the Nation, the Slave Catcher sent his wife forward by land partly to prepare a dinner, and partly to let me have her place in his canoe, seeing me in pain, and unaccustomed to such hard labor, which seat I kept till about two o'clock, when we arrived at his house, opposite of the mouth of Telliquo River, completing a twenty-two days' course of continual fatigues, hardships and anxieties.

"Our entertainment from these people was as good as the country could afford, consisting of roast, boiled and fried meats of several kinds, and very good Indian bread, baked in a very curious manner. After making a fire on the hearth-stone, about the size of a large dish, they sweep the embers off, laying a loaf smooth on it; this they cover with a sort of deep dish, and renew the fire upon the whole, under which the bread bakes to as great perfection as in any European oven.

"We crossed the river next morning, with some Indians that had been visiting in that neighborhood, and went to Tommotly, taking Fort Loudon in the way, to examine the ruins.

"We were received at Tommotly in a very kind manner by Ostenaco, the commander in chief, who told me he had already given me up for lost, as the gang I parted with at the Great Island had returned about ten days before, and that my servant was then actually preparing for his return, with the news of my death.

"After smoking and talking for some time, I delivered a letter from Colonel Stephen, and another from Captain M'Neil, with some presents from each, which were gratefully accepted by Ostenaco and his consort. He gave me a general invitation to his house, while I resided in the country; and my companions found no difficulty in getting the same entertainment among an hospitable tho' savage people, who always pay a great regard to any one taken notice of by their chiefs.

"Some days after, the headmen of each town were assembled in the town-house of Chote, the metropolis of the country, to hear the articles of peace read, whither the interpreter and I accompanied Ostenaco.

"The town-house, in which are transacted all public business and diversions, is raised with wood, and covered over with earth,

and has all the appearance of a small mountain at a little distance. It is built in the form of a sugar loaf, and large enough to contain 500 persons, but extremely dark, having, besides the door, which is so narrow that but one at a time can pass, and that after much winding and turning, but one small aperture to let the smoke out, which is so ill contrived, that most of it settles in the roof of the house. Within it has the appearance of an ancient amphitheatre, the seats being raised one above another, leaving an area in the middle, in the center of which stands the fire; the seats of the head warriors are nearest it.

"The harangue being finished, several pipes were presented me by the headmen, to take a whiff. This ceremonot I could have waived, as smoking was always very disagreeable to me; but as it was token of their amity, and they might be offended if I did not comply, I put on the best face I was able, though I dared not even wipe the end of the pipe that came out of their mouths; which, considering their paint and dirtiness, are not of the most ragoutant, as the French term it.

"After smoking, the eatables were produced, consisting chiefly of wild meat, such as venison, bear and buffalo; tho' I cannot much commend their cookery, everything being greatly overdone; there were likewise potatoes, pumpkins, hominy, boiled corn, beans and peas, served up in small flat baskets made of split canes, which were distributed amongst the crowd; and water, which, except the spirituous liquour brought by the Europeans, is their only drink, was handed about in small gourds. What contributed greatly to render this feast disgusting, was eating without knives and forks, and being obliged to grope from dish to dish in the dark. After the feast there was a dance; but I was already so fatigued with the ceremonies I had gone through, that I retired to Kanagatucko's hot-house; but was prevented taking any repose by the smoke, with which I was almost suffocated, and the crowd of Indians that came and sat on the bed-side; which indeed was not calculated for repose to any but Indians, or those that had passed an apprenticeship to their ways, as I had done: It was composed of a few boards, spread with bear-skins, without any other covering; the house being so hot that I could not endure the weight of my own blanket.

"Some hours after I got up to go away, but met Ostenaco, followed by two or three Indians, with an invitation from the headman of Settico, to visit him the next day.

"I set out with Ostenaco and my interpreter in the morning, and marched toward Settico, till we were met by a messenger, about half a mile from the town, who came to stop us till everything was prepared for our reception: from this place I could take a view of the town, where I observed two stands of colours flying, one at the top, and the other at the door of the town-house; they were as large as a sheet, and white, lest therefore, I should take them for French, they took great care to inform me, that their custom was to hoist red colours as an emblem of war; but white, as a token of

peace. By this time we were joined by another messenger, who desired us to move forward.

"About 100 yards from the town-house we were received by a body of between three and four hundred Indians, ten or twelve of which were entirely naked, except a piece of cloth about their middle, and painted all over in a hideous manner, six of them with eagles tails in their hands, which they shook and flourished as they advanced, danced in a very uncommon figure, singing in concert with some drums of their own make, and those of the late unfortunate Capt. Damere; with several other instruments, uncouth beyond description. Cheulah, the headman of the town, led the procession, painted blood-red except his face, which was half black, holding an old rusty broad sword in his right hand, and an eagle's tail in his left. As they approached, Cheulah, singling himself out from the rest, cut two or three capers, as a signal to the other eagle-tails, who instantly followed his example. This violent exercise, accompanied by the band of music, and a loud yell from the mob, lasted about a minute, when the headman waving his sword over my head, struck it into the ground, about two inches from my left foot; then directing himself to me made a short discourse (which my interpreter told me was only to bid me a hearty welcome) and presented me with a string of beads. We then proceeded to the door, where Cheulah and one of the beloved men, taking me by each arm, led me in, and seated me in one of the first seats; it was so dark that nothing was perceptible till a fresh supply of canes were brought, which being burnt in the middle of the house answers both purposes of fuel and candle. I then discovered about five hundred faces; and Cheulah addressing me a second time, made a speech much to the same effect as the former, congratulating me on my safe arrival thro' the numerous parties of the northern Indians, that generally haunt the way I came. He then made some professions of friendship, concluding with giving me another string of beads, as a token of it. He had scarce finished, when four of those who had exhibited at the procession, made their second appearance, painted milk-white, their eagle-tails in one hand, and small gourds with beads in them in the other, which they rattled in time to the music. During this dance the peace-pipe was prepared; the bowl of it was of red stone, curiously cut with a knife, it being very soft, tho' extremely pretty when polished. Some of these are of black stone, and come of the same earth they make their pots with, but beautifully diversified. The stem is about three feet long, finely adorned with porcupine quills, dyed feathers, deers hair, and such like gaudy trifles.

"After I had performed my part with this, I was almost suffocated with the pipes presented me on every hand, which I dared not to decline. They might amount to about 170 or 180; which made me so sick that I could not stir for several hours.

"The Indians entertained me with another dance, at which I was detained till about seven o'clock next morning, when I was

conducted to the house of Chucatah, then second in command, to take some refreshment. Here I found a white woman, named Mary Hughes, who told me she had been prisoner there near a twelve month, and that there still remained among the Indians near thirty white prisoners more, in a very miserable condition for want of clothes, the winter being particularly severe; and their misery was not a little heightened by the usage they received from the Indians. I ordered her to come to me to Ostenaco's with her miserable companions, where I would distribute some shirts and blankets I had brought with me amongst them, which she did some days after.

"The Cherokees are of a middle stature, of an olive color, tho' generally painted, and their skins stained with gun-powder, prick'd into it in very pretty figures. The hair of their head is shaved, tho' many of the old people have it plucked out by the roots, except a patch on the hinder part of the head, about twice the bigness of a crown-piece, which is ornamented with beads, feathers, wampum, stained deers hair and such like baubles. The ears are slit and stretched to an enormous size, putting the person who undergoes the operation to incredible pain, being unable to lie on either side for near forty days. To remedy this, they generally slit but one at a time; so soon as the patient can bear it, they are wound round with wire to expand them, and are adorned with silver pendants and rings, which they likewise wear at the nose. This custom does not belong originally to the Cherokees, but taken by them from the Shawnees, or other northern nations.

"They that can afford it, wear a collar of wampum, which are beads cut out of clamshells, a silver breast-plate, and bracelets on their arms and wrists of the same metal, bit of cloth over their private parts, a shirt of the English make, a sort of cloth boots, and moccasins, which are shoes of a make peculiar to the Americans, ornamented with porcupine quills; a large mantle or match-coat thrown over all completes their dress at home; but when they go to war they leave their trinkets behind, and the mere necessaries serve them.

"The women wear the hair of their head, which is so long that it generally reaches to the middle of their legs, and sometimes to the ground, club'd, and ornamented with ribbons of various colors; but, except their eyebrows, pluck it from all the other parts of the body, especially the looser part of the sex. The rest of their dress is now become very much like the European; and, indeed, that of the men is greatly altered. The old people still remember and praise the ancient days, before they were acquainted with the whites, when they had but little dress, except a bit of skin about their middles, moccasins, a mantle of buffalo skin for the winter, and a lighter one of feathers for the summer. The women, particularly the half-breed, are remarkably well featured; and both men and women are straight and well-built, with small hands and feet.

"The warlike arms used by the Cherokees are guns, bows and arrows, darts, scalping-knives and tomahawks, which are hatchets; the hammer part of which being made hollow and a small hole running from thence along the shank, terminated by a small brass tube for the mouth, makes a complete pipe. There are various ways of making these, according to the country or fancy of the purchaser, being all made by the Europeans; some have a long spear at top, and some different conveniences on each side. This is one of their most useful pieces of field furniture, serving all the offices of hatchet, pipe and sword; neither are the Indians less expert at throwing it than using it near, but will kill at a considerable distance.

"They are of a very gentle and amicable disposition to those they think their friends, but as implacable in their enmity, their revenge being only completed in the entire destruction of their enemies. They were pretty hospitable to all white strangers, till the Europeans encouraged them to scalp; but the great reward offered has led them often since to commit as great barbarities on us, as they formerly only treated their most inveterate enemies with. They were very hardy, bearing heat, cold, hunger and thirst in a surprising manner; and yet no people are given to more excess in eating and drinking, when it is conveniently in their power: the follies, nay mischief, they commit when inebriated, are entirely laid to the liquor; and no one will revenge any injury (murder excepted) received from one who is no more himself: they are not less addicted to gaming than drinking, and will even lose the shirt off their back, rather than give over play when luck runs against them.

"The Indians, being all soldiers, mechanism can make but little progress; besides this, they labour under the disadvantage of having neither proper tools, or persons to teach the use of those they have: Thus for want of saws, they are obliged to cut a large tree on each side, with great labor to make a very clumsy board; whereas a pair of sawyers would divide the same tree into eight or ten in much less time: considering this disadvantage, their modern houses are tolerably well built. A number of thick posts is fixed in the ground, according to the plan and dimensions of the house, which rarely exceeds sixteen feet in breadth, on account of the roofing, but often extend to sixty or seventy in length, beside the little hot-house. Between each of these posts is placed a smaller one, and the whole wattled with twigs like a basket, which is then covered with clay very smooth, and sometimes white-washed. Instead of tiles, they cover them with narrow boards. Some of these houses are two-story high, tolerably pretty and capacious, but most of them very inconvenient for want of chimneys, a small hole being all the vent assigned in many for the smoke to get out at.

"Their canoes are the next work of any consequence; they are generally made of a large pine or poplar, from thirty to forty feet long, and about two broad, with flat bottoms and sides, and both ends alike; the Indians hollow them now with the tools they get

from the Europeans, but formerly did it by fire: they are capable of carrying about fifteen or twenty men, are very light, and can by the Indians, so great is their skill in managing them, be forced up a very strong current, particularly the bark canoes; but these are seldom used by the northern Indians.

"As to religion, every one is at liberty to think for himself; whence flows a diversity of opinions amongst those that do think, but the major part do not give themselves that trouble. They generally concur, however, in the belief of one superior Being, who made them, and governs all things, and are therefore never discontent at any misfortune, because they say, the Man above would have it so. They believe in a reward and punishment, as may be evinced by their answer to Mr. Martin, who, having preached Scripture till both his audience and he were heartily tired, was told at last, that they knew very well, that, if he were good, they should go up, if bad, down; that he could tell no more; that he had long plagued them with what they no ways understood, and that they desired him to depart the country. This, probably, was at the instigation of their conjurers, to whom these people pay a profound regard; as Christianity was entirely opposite, and would soon dispossess the people of their implicit belief in their juggling art, which the possessors have brought to so great perfection as to deceive Europeans, much more an ignorant race, whose ideas will naturally augment the extraordinary of any thing the least above their comprehension, or out of the common track. After this I need not say that in every particular they are extremely superstitious, that and ignorance going always hand in hand.

"They have few religious ceremonies, or stated times of general worship: the green corn dance seems to be the principal, which is, as I have been told, performed in a very solemn manner, in a large square, before the town-house door: the motion here is very slow, and the song in which they offer thanks to God for the corn he has sent them, far from unpleasing. There are no kind of rites or ceremonies at marriage, courtship and all being, as I have already observed, concluded in half an hour, without any other celebration, and it is as little binding as ceremonious; for though many last till death, especially when there are children, it is common for a person to change three or four times a year. Notwithstanding this, the Indian women gave lately a proof of fidelity, not to be equalled by politer ladies, bound by all the sacred ties of marriage.

"Many of the soldiers in the garrison of Fort Loudon, having Indian wives, these brought them a daily supply of provisions, though blocked up, in order to be starved to a surrender, by their own countrymen; and they persisted in this, notwithstanding the express orders of Willinawaw, who, sensible of the retardment this occasioned, threatened death to those who would assist their enemy but they, laughing at his threats, boldly told him they would succour their husbands every day, and were sure, that, if he killed them, their relations would make his death atone for theirs. Will-

inawaw was too sensible of this to put his threats into execution, so that the garrison subsisted a long time on the provisions brought to them in this manner.

"When they part, the children go with, and are provided for, by the mother. As soon as a child is born, which is generally without help, it is dipped into cold water and washed, which is repeated every morning for two years afterward, by which the children acquire such strength, that no ricketty or deformed are found amongst them. When the woman recovers, which is at latest in three days, she carries it herself to the river to wash it; but though three days is the longest time of their illness, a great number of them are not so many hours; nay, I have known a woman delivered at the side of a river, washed her child, and come home with it in one hand, and a gourd full of water in the other.

"Their government, if I may call it government, which has neither laws or power to support it, is a mixed aristocracy and democracy, the chiefs being chose according to their merit in war, or policy at home; these lead the warriors that choose to go, for there is no laws or compulsion on those that forsake their chief: he strives, therefore, to inspire them with a sort of enthusiasm, by the war-song, as the ancient bards did once in Britain. These chiefs, or headmen, likewise compose the assemblies of the nation, into which the warwomen are admitted. The reader will not be a little surprised to find the story of Amazons not so great a fable as we imagined, many of the Indian women being as famous in war, as powerful in the council.

"The rest of the people are divided into two military classes, warriors and fighting men, which last are the plebians, who have not distinguished themselves enough to be admitted into the rank of warriors. There are some other honorary titles among them, conferred in reward of great actions, the first of which is Outacity, or Man-killer; and the second, Colona, or the Raven. Old warriors likewise, or war-women, who can no longer go to war, but have distinguished themselves in their younger days, have the title of Beloved. This is the only title females can enjoy; but it abundantly recompenses them by the power they acquire by it, which is so great, that they can, by the wave of a swan's wing, deliver a wretch condemned by the council, and already tied to the stake.

"Some days after my reception at Chilhowey, I had an opportunity of seeing some of their diversions. Two letters I received from some officers at the Great Island occasioned a great assembly at Chote, where I was conducted to read them; but the Indians finding nothing that regarded them, the greater part resolved to amuse themselves at a game they call nettecawaw; which I can give no other description of, than that each player having a pole about ten feet long, with several marks or divisions, one of them bowls a round stone, with one flat side, and the other convex, on which the players all dart their poles after it, and the nearest counts according to the vicinity of the bowl to the marks on his pole.

"As I was informed there was to be a physic dance at night, curiosity led me to the town house, to see the preparation. A vessel of their own make, that might contain twenty gallons (there being a great many to take the medicine) was set on the fire, round which stood several gourds filled with river water, which was poured into the pot; this done, there arose one of the beloved women, who, opening a deer skin filled with various roots and herbs, took out a small handful of something like fine salt; part of which she threw on the headman's seat, and part into the fire close to the pot; she then took out the wing of a swan, and after flourishing it over the pot, stood fixed for near a minute, muttering something to herself; then taking a shrub-like laurel (which I supposed was the physic) she threw it into the pot, and returning to her former seat. As no other ceremony seemed to be going forward, I took a walk till the Indians assembled to take it. At my return I found the house quite full; they danced near an hour round the pot, till one of them, with a small gourd that might hold about a gill, took some of the physic, and drank it, after which all the rest took in turn. One of their headmen presented me with some, and in a manner compelled me to drink, though I would have willingly declined. It was, however, much more palatable than I expected, having a strong taste of sassafras: the Indian who presented it told me it was taken to wash away their sins; so that this is a spiritual medicine, and might be ranked among their religious ceremonies. They are very solicitous about its success; the conjurer, several mornings before it is drank, makes a dreadful howling, yelling and hollering from the top of the townhouse, to frighten away apparitions and evil spirits. According to our ideas of evil spirits, such hideous noises would by sympathy call up such horrible beings; but I am apt to think with the Indians, that such noises are sufficient to frighten any being away but themselves.

"I was almost every night at some dance or diversion; the war-dance, however, gave me the greatest satisfaction, as in that I had an opportunity of learning their methods of war, and a history of their war-like actions, many of which are both amusing and instructive.

"I was not a little pleased likewise with their ball-plays (in which they show great dexterity) especially when the women played, who pulled one another about, to the no small amusement of an European spectator.

"They are likewise very dexterous at pantomime dances, several of which I have seen performed that were very diverting. In one of these, two men, dressed in bear skins, came in, stalking and pawing about with all the motions of real bears: two hunters followed them, who in dumb show acted in all respects as they would do in the wood: after many attempts to shoot them, the hunters fire; one of the bears is killed, and the other wounded; but, as they attempt to cut his throat, he rises up again, and the scuffle be-

tween the huntsmen and the wounded bear generally affords the company a great deal of diversion.

"The taking the pigeons at the roost was another that pleased me exceedingly; and these, with my walking and observations, furnished me with amusement for some time; but the season not always permitting my going abroad, and as I had so little to do at home, I soon grew tired of the country. The Indian senate indeed would sometimes employ me in reading and writing letters for them of which I generally acquitted myself to their satisfaction, by adding what I thought would be acceptable, and retrenching whatever might displease."

CHAPTER 16.

Tennessee—The Constitution of 1796 and 1834— Governors, Members of Congress and United States Senators to the Death of Jackson.

On July 11th, 1795, the territorial government directed an enumeration of the population of the territory to ascertain if it contained the sixty thousand population necessary in order for it to become a State, and Governor Blount forwarded the result of the election in the shape of a schedule to President Washington in the city of Washington.

The following is the schedule:

"Territory of the U. States of America South of the River Ohio. Schedule of the aggregate amount of each description of persons, taken agreeably to 'An act providing for the enumeration of the inhabitants of the Territory of the United States of America south of the River Ohio;' passed July 11, 1795.

	Free white males 16 years and upwards, including heads of families.	Free white males under 16 years.	Free white females including heads of families.	All other free persons.	Slaves.	Total Amount.	Years.	Nays.
Jefferson County-----	1,706	2,225	3,021	112	776	7,840	714	316
Hawkins County-----	2,666	3,279	4,767	147	2,472	13,331	1,651	534
Greene County-----	1,567	2,203	3,350	52	466	7,638	560	495
Knox County-----	2,721	2,723	3,664	100	2,365	11,573	1,100	128
Washington County-----	2,013	2,578	4,311	225	978	10,105	873	145
Sullivan County-----	1,803	2,340	3,499	38	777	8,457	715	125
Sevier County-----	628	1,045	1,503	273	129	3,578	261	55
Blount County-----	585	817	1,231	---	183	2,816	476	16
Davidson County-----	728	695	1,192	6	992	3,613	96	517
Sumner County-----	1,382	1,595	2,316	1	1,076	6,370	-----	-----
Tennessee County-----	380	444	700	19	398	1,941	58	231
	16,179	19,944	29,554	973	10,613	77,262	6,504	2,562

"I William Blount, Governor in and over the Territory of the United States of America south of the River Ohio, do certify that

this schedule is made in conformity with the schedules of the sheriffs of the respective counties in the said Territory, and that the schedules of the said sheriffs are lodged in my office.

"Given under my hand, at Knoxville, November 28, 1795.

"William Blount."

It will be observed that the Middle Tennessee counties were opposed to statehood, and the East Tennessee counties largely in favor of it. Governor Blount, General John Sevier and their followers were all strongly for the new State. Thereupon Governor Blount issued his proclamation announcing the result of the election:

"William Blount, Governor in and over the Territory of the United States of America south of the River Ohio, to the people thereof;

"Whereas by an act passed on the 11th day of July last, entitled 'An act providing for the enumeration of the inhabitants of the Territory of the United States of America south of the River Ohio,' it is enacted, 'that if upon taking the enumeration of the people in the said Territory as by that directed, it shall appear that there are sixty thousand inhabitants therein, counting the whole of the free persons, including those bound to service for a term of years, and excluding Indians not taxed and adding three-fifths of all other persons, the Governor be authorized and requested to recommend to the people of the respective counties to elect five persons for each county, to represent them in convention, to meet at Knoxville, at such time as he shall judge proper, for the purpose of forming a constitution or permanent form of government.'

"And whereas, upon taking the enumeration of the inhabitants of the said Territory, as by the act directed, it does appear that there are sixty thousands free inhabitants therein, and more, besides other persons: Now I, the said William Blount, Governor, &c., do recommend to the people of the respective counties to elect five persons for each county, on the 18th and 19th days of December next, to represent them in a convention to meet at Knoxville, on the 11th day of January next, for the purpose of forming a constitution or permanent form of government.

"And to the end that a perfect uniformity in the election of members of convention may take place, in the respective counties, I, the said William Blount, Governor, &c., do further recommend to the sheriffs or their deputies, respectively, to open and hold polls of election for members of convention, on the 18th and 19th days of December, as aforesaid, in the same manner as polls of election have heretofore been held for members of the General Assembly; and that all free males, twenty-one years of age and upwards, be considered entitled to vote by ballot for five persons for members of convention; and that the sheriffs or their deputies,

holding such polls of election, give certificates to the five persons in each county, having the greatest number of votes, of their being duly elected members of convention.

"And I, the said William Blount, Governor &c., think proper here to declare, that this recommendation is not intended to have nor ought to have, any effect whatever upon the present temporary form of government; and that the present temporary form will continue to be exercised in the same manner as if it had never been issued, until the convention shall have formed and published a constitution or permanent form of government.

"Done at Knoxville, November twenty-eight, one thousand and seven hundred and ninety-five.

"Wm. Blount.

"By the Gov.—Willie Blount, Pro. Secretary."

In this proclamation Governor Blount recommended that an election be held on the 18th and 19th days of December 1795, to select five persons from each county to meet in convention in Knoxville, January 11, 1796, for the purpose of forming a constitution and organizing a permanent form of government, and accordingly the election was held, and the persons elected assembled on January 11 at Knoxville, and were as follows:

REPRESENTATIVES OF THE COUNTIES.

Blount County,—David Craig, James Greenaway, Joseph Black, Samuel Glass, James Houston.

Davidson County,—John McNairy, Andrew Jackson, James Robertson, Thomas Hardeman, Joel Lewis.

Greene County,—Samuel Frazier, Stephen Brooks, William Rankin, John Galbreath, Elisha Baker.

Hawkins County,—James Berry, Thomas Henderson, Joseph McMinn, William Cocke, Richard Mitchell.

Jefferson County,—Alexander Outlaw, Joseph Anderson, George Doherty, William Roddy, Archibald Roane.

Knox County,—William Blount, James White, Charles McClung, John Adair, John Crawford.

Sullivan County,—George Rutledge, William C. C. Claiborne, John Shelby, Jun., John Rhea, Richard Gammon.

Sevier County,—Peter Bryan, Samuel Wear, Spencer Clack, John Clack, Thomas Buckenham.

Tennessee County,—Thomas Johnston, James Ford, William Fort, Robert Prince, William Prince.

Washington County,—Landon Carter, John Tipton, Leeroy Taylor, James Stuart, Samuel Handley.

Sumner County,—D. Shelby, Isaac Walton, W. Douglass, Edward Douglass, Daniel Smith.

These representatives constituted the Constitutional Convention of 1796, and William Blount was elected President of the Convention, William Macklin, Secretary, John Sevier, Jr., Engraving Clerk, and John Rhea, Doorkeeper.

On motion a committee of two representatives from each county was appointed to draft a constitution, and it is natural that every Tennessean should feel profound interest in the personnel of the committee that made the original draft of the State's first constitution, who were as follows:

Blount County—Craig and Black.

Davidson County—McNairy and Jackson.

Greene County—Frazier and Rankin.

Hawkins County—Cocke and Henderson.

Jefferson County—Anderson and Roddy.

Knox County—Blount and McClung.

Sullivan County—Claiborne and Rhea.

Sumner County—Shelby and Smith.

Sevier County—Wear and John Clack.

Tennessee County—Johnston and Fort.

Washington County—Tipton and Stuart.

Mr. Smith of Sumner was Chairman of the Committee and on January 27, 1796, a draft of the constitution was reported to the Convention, and on January 28, referred to the Committee of the Whole and was under consideration until February 6 1796, when the constitution was adopted. The Convention was in session twenty-seven days. On February 6, 1796, Chairman McClung of the Committee on the Expense of the Convention reported that beside the per diem of the members and officers of the Convention, the expenses were ten dollars for seats for the Convention, and \$2.62 for three and one-half yards of oil-cloth for covering the table of the chairman and secretary. The per diem allowed to members of the Convention and the officers was \$1.50 a day for each member and one dollar for every thirty miles traveled to and from the Convention, \$2.50 a day to the clerks, and \$2.00 to the doorkeeper.

The Convention was held in the office of David Hanley, Agent of the War Department.

President Blount was instructed to forward as early as practicable a copy of the new constitution to the Secretary of State in

Washington, and was further authorized to issue writs of election in the several counties for the purpose of choosing a governor and members of the General Assembly under the new constitution. On February 9, President Blount sent to the Secretary of State a copy of the constitution by Joseph McMinn, a Hawkins County man, who was afterwards Governor of the State. Dr. James White of Davidson County was the territorial representative of Tennessee in Congress.

It is customary to quote Mr. Jefferson's comment on this constitution, that it was "the least imperfect and most republican of any of the American States." It remained without amendment until the Constitution of 1834 was adopted.

FIRST GENERAL ASSEMBLY.

It is interesting to recall the members of the first General Assembly of the State. In this list are names that achieved high position subsequently in the councils of Tennessee.

MEMBERS OF THE SENATE.

Tennessee County—James Ford.
 Sumner County—James Winchester.
 Knox County—James White.
 Jefferson County—George Doherty.
 Greene County—Samuel Frazier.
 Washington County—John Tipton.
 Sullivan County—George Rutledge.
 Sevier County—John Clack.
 Blount County—Alexander Kelly.
 Davidson County—Joel Lewis.
 Hawkins County—Joseph McMinn.

James Winchester was elected Speaker of the Senate; F. A. Ramsey, Clerk; Nathaniel Buckingham, Assistant Clerk; Thomas Bounds, Doorkeeper.

MEMBERS OF THE HOUSE.

Blount County—James Houston and Joseph Black.
 Davidson County—Robert Weakley and Seth Lewis.
 Greene County—Joseph Conway and John Gass.
 Hawkins County—John Cocke and Thomas Henderson.
 Jefferson County—Alexander Outlaw and Adam Peck.
 Knox County—John Menefee and John Crawford.

Sullivan County—John Rhea and David Looney.
Sevier County—Spencer Clack and Samuel Newell.
Sumner County—Stephen Cantrell and William Montgomery.
Tennessee County—Thomas Johnston and William Ford.
Washington County—John Blair and James Stuart.
James Stuart was elected Speaker; Thomas H. Williams, Clerk;
John Sevier, Jr., Assistant Clerk; John Rhea, Doorkeeper.

After the organization of the Senate and House they met in joint convention for the purpose of opening and summing up the returns in the election for Governor, when it was found that John Sevier had been duly elected Governor of the new State. Judge Joseph Anderson swore Governor-elect Sevier into office.

William Blount and William Cocke were elected Senators in the Congress of the United States; William Macklin, Secretary of State; John McNairy, Willie Blount and Archibald Roane, Judges of the Superior Court of Law and Equity, but John McNairy declined to serve, and Howell Tatum was elected in his place; Willie Blount also declined and his place was filled by W. C. C. Claiborne; Landon Carter was elected Treasurer of Washington and Hamilton Districts, and William Black of the Mero District.

It was at this session of the General Assembly that Tennessee County was divided into Robertson and Montgomery Counties; Washington County was also divided, and out of a part of it Carter County was established. Elizabethton, the county seat, was named in honor of Elizabeth, the wife of General Carter. Grainger County was established April 22, 1796, and named for Mary Grainer, the wife of Governor Blount.

On April 8, 1796, President George Washington submitted to Congress the constitution of the new State of Tennessee, and it was referred to the proper committee in both Senate and House, and on April 12, 1796, the House Committee reported recommending that the State be declared one of the United States of America. The Senate Committee reported against the admission of the State, but the Senate finally yielded and the act was passed May 31st, 1796, admitting Tennessee into the Union.

But Governor Blount and William Cocke having been elected United States Senators before Tennessee became a State, it was necessary to elect them over again. Accordingly, Governor Sevier called the General Assembly together and they were elected a second time to the Senate.

Andrew Jackson was elected the State's Representative in Congress, and took his seat at the session of Congress which assembled December 5, 1796.

The bill admitting the State into the Union was approved by President Washington June 1, 1796, and is as follows:

"WHEREAS, By the acceptance of the deed of cession of the State of North Carolina, congress is bound to lay out into one or more States the territory thereby ceded to the United States.

"BE IT ENACTED, ETC. That the whole of the territory ceded to the United States by the State of North Carolina shall be one State, and the same is hereby declared to be one of the United States of America, on an equal footing with the original States, in all respects whatever, by the name and title of the State of Tennessee. That until the next general census, the said State of Tennessee shall be entitled to one representative in the house of representatives of the United States; and in all other respects as far as they may be applicable, the laws of the United States shall extend to and have force in the State of Tennessee, in the same manner as if the State had originally been one of the United States.

"Approved June 1, 1796.

"George Washington,
President of the United States.

"Jonothan Dayton,
Speaker of the House of Representatives.

"Samuel Livermore,
President of the United States Senate.

THE GOVERNORS OF THE STATE.

Within the limits of this book it is impossible to write a history of Tennessee, or even the history of the State down to the death of General Jackson in 1845. A great many things will have to be merely mentioned, or, at best, an abstract given. Hence it is impossible to give a history of each State administration and only a brief mention of the Governors of the State will be made, with their term of office, the candidates for the office, and the vote each candidate received:

John Sevier.....1796-1801—No opposition.

Archibald Roane....1801-1803—No opposition.

John Sevier.....1803-1809—in 1803 Governor Sevier was opposed by Governor Roane and the vote stood, Sevier 6,786, Roane 4,923. In 1805 and 1807 Governor Sevier had no opposition.



FIVE GOVERNORS OF TENNESSEE

William Blount, Territorial

Willie Blount

Archibald Roane

John Sevier

Wm. Carroll

Willie Blount.....1809-1815—No opposition.

Joseph McMinn....1815-1821—In 1815 the vote stood: Joseph McMinn 15,600; Robert Weakley 7,389; Jesse Wharton 7,662; Robt. C. Foster 4,184; Thomas Johnson 2,987. In 1817 Gov. McMinn defeated Robert C. Foster by a large majority. In 1819 Gov. McMinn defeated Enoch Parsons by a large majority.

William Carroll.....1821-1827—In 1821 the vote stood Carroll 42,246; Edward Ward 11,200; Governor Carroll had no opposition in 1823 or in 1825.

Sam Houston.....1827-1829—Defeated Willie Blount and Newton Cannon. Resigned.

William Hall.....April
1829 to October 1829—Filled out the unexpired term of Sam Houston.

William Carroll.....1829-1835—No opposition. Governor Carroll served as Governor of Tennessee longer than any other man in the history of the State.

Newton Cannon....1835-1839—The constitution of 1834 having removed the limit which prohibited any one person from being governor more than three consecutive terms, Gov. Carroll was a candidate against Newton Cannon in 1835 and was defeated by Cannon by 11,000 plurality. In 1837 The vote stood: Cannon 52,600 and Armstrong 32,695.

James K. Polk.....1839-1841—Polk defeated Governor Cannon by 3,000 majority.

James C. Jones.....1841-1845—In 1841 the vote stood: Jones 53,586; Polk 50,343. In 1843 the vote stood: Jones 57,491; Polk 52,692. In two years after the race of 1841 Jones increased his vote 3,905 and Polk increased 2,359.

SENATORS AND REPRESENTATIVES FROM THE STATE OF TENNESSEE
FROM MARCH 4, 1789 TO AND INCLUDING MARCH 3, 1845. TAKEN
FROM THE BIOGRAPHICAL CONGRESSIONAL DIRECTORY ISSUED
BY THE UNITED STATES GOVERNMENT IN 1913.

First Congress, March 4, 1789, to March 3, 1791.

SENATORS:

REPRESENTATIVES:

(None)

Second Congress: March 4, 1791, to March 3, 1793.

SENATORS:

REPRESENTATIVES:

(None)

Third Congress: March 4, 1793, to March 3, 1795.

"Territory South of the Ohio River,"

DELEGATE:

James White.

Took his seat November 18, 1794.

Fourth Congress: March 4, 1795, to March 3, 1797.

SENATORS:

†William Blount. †William Cocke.

†Took his seat December 5, 1796; term to expire, as determined by lot, March 3, 1799.

‡Took his seat December 5, 1796; term to expire, as determined by lot, March 3, 1797.

REPRESENTATIVE:

Andrew Jackson.

Took his seat December 5, 1796.

Fifth Congress: March 4, 1797, to March 3, 1799.

*William Blount. ¶William Cocke.

°Joseph Anderson. ♦Andrew Jackson.

aDaniel Smith.

*Expelled for "high Misdemeanor" July 8, 1797.

°Elected to fill vacancy caused by expulsion of William Blount, and took his seat November 22, 1797, and served until December 12, 1789, when he was elected to fill vacancy caused by resignation of Andrew Jackson.

¶Appointed to fill vacancy in the term commencing March 4, 1797 (the legislature having failed to elect), and took his seat May 15, 1797.

*Elected to fill vacancy in the term commencing March 4, 1797, and took his seat November 22, 1797; resigned in April, 1798.

¤Appointed to fill vacancy caused by the resignation of Andrew Jackson, and took his seat December 6, 1798.

REPRESENTATIVE:

William C. C. Claiborne.

Sixth Congress: March 4, 1799, to March 3, 1801.

SENATORS:

*b*Joseph Anderson. William Cocke.

REPRESENTATIVE:

William C. C. Claiborne.

*b*Elected to fill vacancy caused by the resignation of Andrew Jackson in preceding Congress, and took his seat December 2, 1799.

Seventh Congress: March 4, 1801, to March 3, 1803.

SENATORS:

Joseph Anderson. William Cocke.

REPRESENTATIVE:

William Dickson.

Eighth Congress: March 4, 1803, to March 3, 1805.

SENATORS:

Jeseph Anderson. William Cocke.

REPRESENTATIVES:

George Washington Campbell. John Rhea.
William Dickson.

Ninth Congress: March 4, 1805, to March 3, 1807.

SENATORS:

Joseph Anderson. Daniel Smith.

REPRESENTATIVES:

George W. Campbell. John Rhea.
William Dickson.

Tenth Congress: March 4, 1807, to March 3, 1809.

SENATORS:

Joseph Anderson. Daniel Smith.

REPRESENTATIVES:

Geo. W. Campbell. Jesse Wharton.
John Rhea.

Eleventh Congress: March 4, 1809, to March 3, 1811.

SENATORS:

Joseph Anderson. *c*Daniel Smith.
*d*Jenkins Whiteside.

*c*Resigned March 31, 1809.

*d*Elected to fill vacancy caused by resignation of Daniel Smith, and took his seat May 26, 1809.

REPRESENTATIVES:

Pleasant W. Miller. Robert Weakley.
John Rhea.

Twelfth Congress: March 4, 1811, to March 3, 1813.

Joseph Anderson.

eGeo. W. Campbell.

fJenkins Whiteside.

eElected to fill vacancy caused by resignation of Jenkins Whiteside, and took his seat November 4, 1811.

fResigned October 8, 1811.

REPRESENTATIVES:

Felix Grundy.

John Rhea.

John Sevier.

Thirteenth Congress: March 4, 1813, to March 3, 1815.

SENATORS:

Joseph Anderson.

gGeorge W. Campbell.

hJesse Wharton.

gResigned February 11, 1814.

hAppointed to fill vacancy in term commencing March 4, 1811, caused by resignation of George W. Campbell, and took his seat April 9, 1814.

REPRESENTATIVES:

John H. Bowen.

Perry W. Humphreys.

iFelix Grundy.

John Rhea.

jNewton Cannon.

John Sevier.

kThomas K. Harris.

iResigned in 1814.

jElected to fill vacancy caused by resignation of Felix Grundy, and took his seat October 15, 1814.

kElection unsuccessfully contested by William Kelly.

Fourteenth Congress: March 4, 1815, to March 3, 1817.

SENATORS:

lGeorge W. Campbell.

Jesse Wharton.

mJohn Williams.

lElected for term commencing March 4, 1815, and took his seat December 4, 1815, vacancy from March 4, 1815, to October 10, 1815.

mElected to fill vacancy in term ending March 3, 1817, caused by resignation of George W. Campbell from his class in the preceding Congress (Jesse Wharton having served by appointment from April 9, 1814, to October 10, 1815), and took his seat December 4, 1815.

REPRESENTATIVES:

William G. Blount.

Samuel Powel.

Newton Cannon.

James B. Reynolds.

Bennett H. Henderson.

Isaac Thomas.

Fifteenth Congress: March 4, 1817, to March 3, 1819.

SENATORS:

<i>n</i> George W. Campbell.	John Williams.
<i>o</i> John H. Eaton.	

*n*Resigned, to take effect at the close of the ensuing session (April 20, 1818), to become Minister to Russia.

*o*Appointed to fill vacancy caused by resignation of George W. Campbell, and took his seat November 16, 1818; subsequently elected.

REPRESENTATIVES:

William G. Blount.	Francis Jones.
Thomas Claiborne.	George W. L. Marr.
Samuel Hogg.	John Rhea.

Sixteenth Congress: March 4, 1819, to March 3, 1821.

SENATORS:

John Williams, Knoxville.	John H. Eaton, Nashville.
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REPRESENTATIVES:

Robert Allen, Carthage.	John Cocke, Rutledge.
Henry H. Bryan, Palmyra.	Francis Jones, Winchester.
Newton Cannon.	John Rhea, Sullivan.

Seventeenth Congress: March 4, 1821, to March 3, 1823.

SENATORS:

John Williams, Knoxville.	John H. Eaton, Nashville.
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REPRESENTATIVES:

Robert Allen, Carthage.	John Cocke, Rutledge.
†Henry H. Bryan, Palmyra.	Francis Jones, Winchester.
Newton Cannon, Harpeth.	John Rhea, Sullivan.

†Reported to have been duly elected by the Committee on Elections, February 17, 1823, but appears never to have taken his seat.

Eighteenth Congress: March 4, 1823 to March 3, 1825.

SENATORS:

John H. Eaton, Nashville.	Andrew Jackson, Nashville.
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REPRESENTATIVES:

Adam R. Alexander, Jackson.	Jacob C. Isacks, Winchester.
Robert Allen, Carthage.	James B. Reynolds, Clarksville.
John Blair, Jonesboro.	James T. Sandford, Columbia.
John Cocke, Rutledge.	James Standifer, Pikeville.
Samuel Houston, Nashville.	

Nineteenth Congress: March 4, 1825 to March 3, 1827.

SENATORS:

John H. Eaton, Nashville. †Andrew Jackson, Nashville.
 ¶Hugh L. White, Knoxville.

‡Resigned October 14, 1825.

¶Elected to fill vacancy caused by resignation of Andrew Jackson and took his seat December 12, 1825.

REPRESENTATIVES:

Adam R. Alexander, Jackson.	Jacob C. Isacks, Winchester.
Robert Allen, Carthage.	John H. Marable, Yellow Creek.
John Blair, Jonesboro.	James C. Mitchell, Athens.
John Cocke, Rutledge.	James K. Polk, Columbia.
Samuel Houston, Nashville.	

Twentieth Congress: March 4, 1827 to March 3, 1829.

SENATORS:

John H. Eaton, Nashville. Hugh L. White, Knoxville.

REPRESENTATIVES:

John Bell, Nashville.	Pryor Lea, Knoxville.
John Blair, Jonesboro.	John H. Marable, Yellow Creek.
David Crockett, Trenton.	James C. Mitchell, Athens.
Robert Desha, Gallatin.	James K. Polk, Columbia.
Jacob C. Isacks, Winchester.	

Twenty-first Congress: March 4, 1829 to March 3, 1831.

SENATORS:

*John H. Eaton, Nashville. Hugh L. White, Knoxville.

†Felix Grundy, Nashville.

*Resigned March 9, 1829.

†Elected to fill vacancy caused by resignation of John H. Eaton and took his seat December 7, 1829.

REPRESENTATIVES:

John Bell, Nashville.	Cave Johnson, Clarksville.
John Blair, Jonesboro.	¶Pryor Lea, Knoxville.
David Crockett, Crocketts.	James K. Polk, Columbia.
Robert Desha, Gallatin.	James Standifer, Mount Airy.
Jacob C. Isacks, Winchester.	

°Election unsuccessfully contested by Thomas D. Arnold.

Twenty-second Congress: March 4, 1831 to March 3, 1833.

SENATORS:

Hugh L. White, Knoxville. Felix Grundy, Nashville.

REPRESENTATIVES:

Thomas D. Arnold, Campbell Station.	William Hall, Green Garden.
John Bell, Nashville.	Jacob C. Isacks, Winchester.
John Blair, Jonesboro.	Cave Johnson, Clarksville.
aWilliam Fitzgerald, Dresden.	James K. Polk, Columbia.
	James Standifer, Mount Airy.

°Election unsuccessfully contested by David Crockett.

Twenty-third Congress: March 4, 1833 to March 3, 1835.

SENATORS:

Felix Grundy, Nashville. Hugh L. White, Knoxville.

REPRESENTATIVES:

John Bell, Nashville.	William M. Inge, Fayetteville.
John Blair, Jonesboro.	Cave Johnson, Clarksville.
Samuel Bunch, Rutledge.	Luke Lea, Campbells Station.
David Crockett, Crockett.	Balie Peyton, Gallatin.
David W. Dickinson, Murfreesboro.	James K. Polk, Columbia.
William C. Dunlap, Bolivar.	James Standifer, Mount Airy.
John B. Forester, McMinnville.	

Twenty-fourth Congress: March 4, 1835 to March 3, 1837.

SENATORS:

Felix Grundy, Nashville. Hugh Lawson White, Knoxville.

REPRESENTATIVES:

William B. Carter, Elizabethton.	Abraham P. Maury, Franklin.
Samuel Bunch, Rutledge.	James K. Polk, Columbia.
Luke Lea, Campbells Station.	Ebenezer J. Shields, Pulaski.
James Standifer, Mount Airy.	Cave Johnson, Clarksville.
John B. Forester, McMinnville.	Adam Huntsman, Jackson.
Balie Peyton, Gallatin.	William C. Dunlap, Bolivar.

Twenty-fifth Congress: March 4, 1837 to March 3, 1839.

SENATORS:

*b*Felix Grundy, Nashville. Hugh L. White, Knoxville.
*c*Ephraim H. Foster, Nashville.

*b*Resigned July 4, 1838.

*c*Appointed to fill vacancy caused by resignation of Felix Grundy, and took his seat December 3, 1838, subsequently elected for full term commencing March 4, 1839, and resigned March 3, 1839.

REPRESENTATIVES:

William B. Carter, Elizabethton.	Abraham P. Maury, Franklin.
Abraham McClellan,	James K. Polk, Columbia.
Blountsville.	Ebenezer J. Shields, Pulaski.
Joseph L. Williams, Knoxville.	Richard Cheatham, Springfield.
William Stone, Delphi.	John W. Crockett, Paris.
Hopkins L. Turney, Winchester.	Christopher H. Williams,
William B. Campbell, Carthage.	Lexington.
John Bell, Nashville.	

Twenty-sixth Congress: March 4, 1839 to March 3, 1841.

SENATORS:

*d*Hugh L. White, Knoxville. *f*Felix Grundy, Nashville.
*e*Alexander Anderson, Knoxville. *g*Alfred O. P. Nicholson,
Columbia.

*d*Resigned January 13, 1840.

*e*Elected to fill vacancy caused by resignation of Hugh L. White, and took his seat February 26, 1840.

*f*Elected to fill vacancy caused by resignation of Ephraim H. Foster in preceding Congress, and took his seat January 3, 1840; vacancy in this class from March 4, 1839, to December 14, 1839; died December 19, 1840.

^gAppointed to fill vacancy caused by the death of Felix Grundy, and took his seat January 11, 1841.

REPRESENTATIVES:

REPRESENTATIVES:
William B. Carter, Elizabethton. Meredith P. Gentry, Harpeth.

Abraham McClellan,
Blountsville. **Harvey M. Watterson,**
Shelbyville.

Joseph L. Williams, Knoxville. Aaron V. Brown, Pulaski.

Julius W. Blackwell, Athens. Cave Johnson, Clarksville.

Hopkins L. Turney, Winchester. John W. Crockett, Trenton.

William B. Campbell, Carthage. Christopher L. T. Bell, New Haven. — In view

Toronto Growth Committee, March 4, 1841 to March 3, 1842

Journal of Health Politics

Alfred O. P. Nicholson, SENATORS:
Columbia Spencer Jarnagin, Athens.

REPRESENTATIVES:

REPRESENTATIVES.
Thomas D. Arnold, Greeneville. Meredith P. Gentry, Harpeth.

Thomas D. Arnold, Greeneville.
Abraham McClellan,
Blountsville
Meredith F. Centry, Jr.
Harvey M. Watterson,
Shelbyville

Joseph L. Williams, Knoxville.
Aaron V. Brown, Pulaski.
Thomas J. Campbell, Athens.
Cave Johnson, Clarksville.

Thomas J. Campbell, Russell.
Hopkins L. Turney, Winchester. Gove Johnson, Clarksville.
Milton Brown, Jackson.

William B. Campbell, Carthage. Christopher H. W.

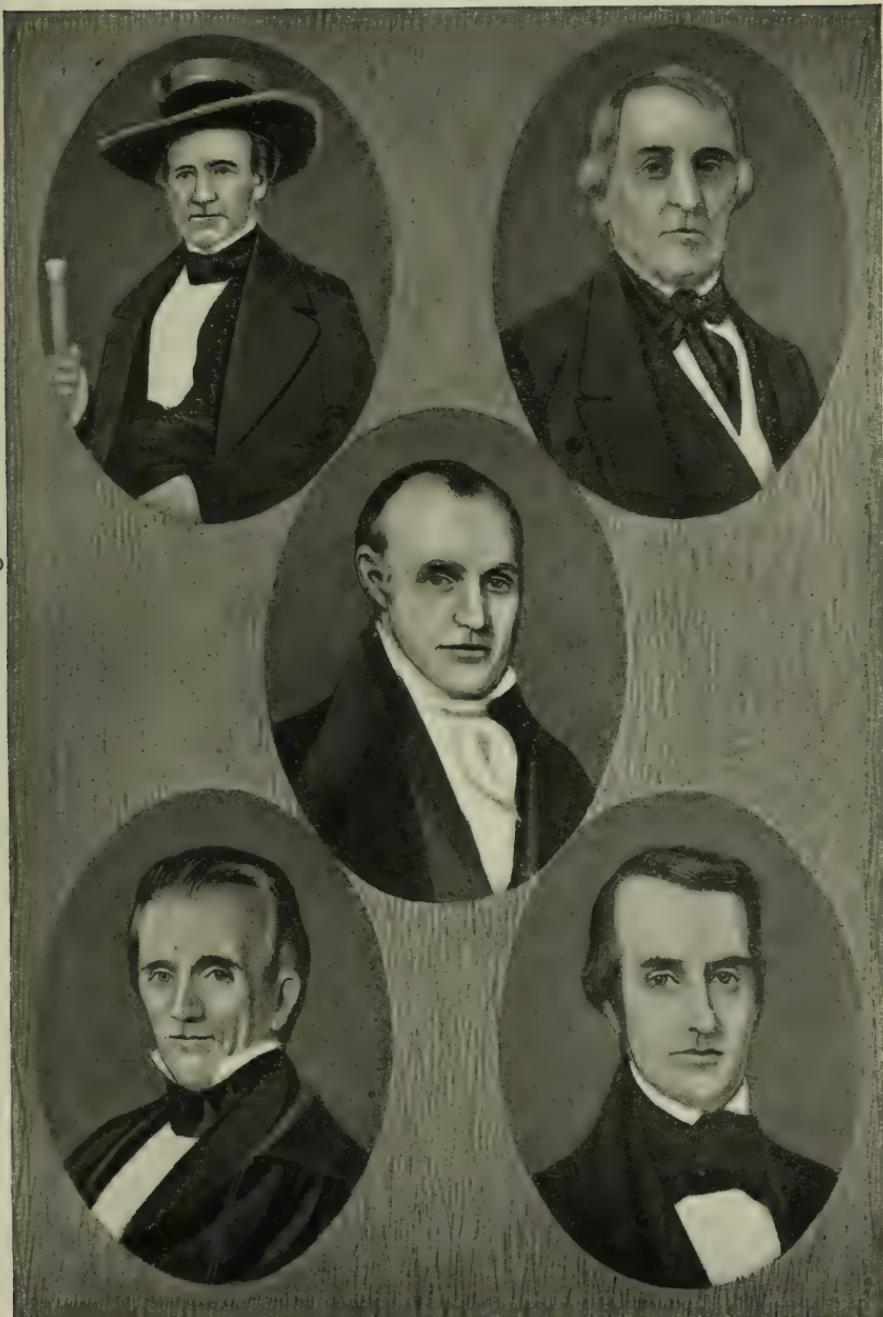
Editorial Office: 150 W. 32nd Street, New York, N.Y. 10001

• March 4,

SENATORS:

Epitaphs.

REPRESENTATIVES:	
Andrew Johnson, Greeneville.	David W. Dickinson,
William P. Senter,	Murfreesboro.
Panther Springs.	Joseph H. Peyton, Gallatin.
Julius W. Blackwell, Athens.	Cave Johnson, Clarksville.
Alvan Cullum, Livingston.	John B. Ashe, Brownsville.
George W. Jones, Fayetteville.	Milton Brown, Jackson.
Aaron V. Brown, Pulaski.	



FIVE GOVERNORS OF TENNESSEE

Sam Houston

James K. Polk

Newton Cannon

William Hall

James C. Jones

THE CONSTITUTION OF 1834.

On November 27, 1833, the Legislature passed an act providing for the calling of a constitutional convention to consist of sixty members to be elected on the first Thursday and Friday of March, 1834, to meet in the City of Nashville on the third Monday of May, 1834. Pursuant to this act the election was duly held and the members duly elected, and the convention met on May 19, 1834, and remained in session until August 30, 1834. Ex-Governor Willie Blount was made temporary Chairman. William B. Carter was elected President of the Convention.

The constitution adopted by the convention was submitted to a vote of the people on March 5th and 6th, 1835, and was ratified by a vote of 42,666 to 17,691. This constitution remained in effect until the constitution of 1870 was adopted, but it was amended in 1853 so as to provide that the Judges of the Supreme Court should be elected by the qualified voters of the entire State, and the judges of the inferior courts by the qualified voters of the districts where they were to hold court. It was this amendment which also provided that the Attorney General for the State and the District Attorneys were to be elected by the people instead of by the Legislature.

In 1865 a convention was held in Nashville in which the constitution was amended so as to prohibit slavery in Tennessee.

The Constitution of 1834 contained a provision looking to the liberal support of education in the State by common schools and otherwise, as follows, in Article XI, Section 10:

"Knowledge, learning and virtue being essential to the preservation of public institutions, and a diffusion of the opportunities and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly in all future periods of this government to cherish literature and science. And the fund called the 'common school fund,' and all the lands and proceeds thereof, dividends, stocks, and all other property of every description whatever heretofore by law appropriated by the General Assembly of the State for the use of common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation, and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of the people thereof; and no law shall be made authorizing said fund or any part thereof to be diverted to any other use than the

support and encouragement of common schools; and it shall be the duty of the General assembly to appoint a Board of Commissioners for said fund and who shall make a report of the condition of the same from time to time under such rules and regulations and restrictions as may be required by law; provided, that if at any time hereafter a division of the public lands of the United States or of the money arising from the sale of said lands shall be made among the individual States, the part of such land or money coming to this State shall be devoted to the purpose of education and internal improvement and shall never be applied to any other purpose."

The very conservative temper of this Convention may be seen in the opening address of President Carter where he says: "The great principle which should actuate each individual in this Convention is to touch the constitution with a cautious and circumspect hand, and to deface that instrument formed with so much wisdom and foresight by our ancestors, as little as possible," and this voice of the President prevailed generally in the changes made in the Constitution of 1796, there being only a few extensive changes.

CHAPTER 17.

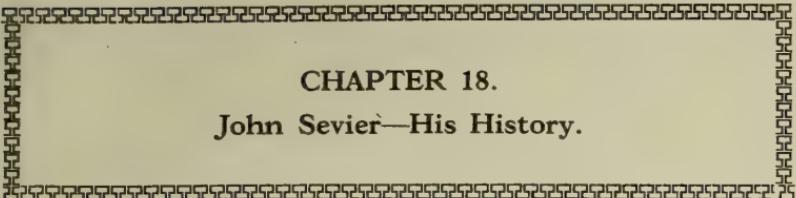
John Sevier, Chronology.

- 1745—September 23, born Rockingham County, Virginia.
1761—Married Sarah Hawkins.
1772—Appointed Captain in the Virginia Line by Lord Dunmore.
1772—Went on a visit to Evan Shelby at King's Meadow, now
Bristol, Tennessee, and visited Watauga settlers.
1773—Located on North Holston and ran a mercantile business.
1778—Left Watauga to which he moved from Holston and
located on the Nollichucky.
1779—April 10—Organized with Evan Shelby successful ex-
pedition against the Chickamaugas.
1780—August 14—Married Miss Catherine Sherrill.
1780—Took part in the Battle of King's Mountain.
1780—December 16—Defeated the Indians at the Battle of
Boyd's Creek.
1780—Defeated the Indians on the Chota Expedition and burned
their houses and destroyed their stock.
1780—Commissioned by Governor Nash of North Carolina
Colonel Commandant of Washington County.
1781—Legislature of North Carolina by resolution asked Sevier
and Shelby to return to North Carolina in the defense
of that colony.
1781—March—Moved against Erati Cherokees in Smoky Moun-
tains.
1781—In November, with Shelby, joined Marion's command in
South Carolina.
1782—Made successful expedition against Chickamaugas.
1785—Appointed Brigadier-General of Washington District by
the Legislature of North Carolina.
1785—1788—Governor of the State of Franklin.
1788—Arrested and taken to Morganton, N. C., on a charge
of treason, where he was rescued by his friends.

- 1789—Elected to the North Carolina Senate from Greene County.
- 1789—Disabilities of treason removed, and he became a member of the Senate.
- 1789—Reinstated as Brigadier-General of Washington District.
- 1790—Member of Congress from North Carolina.
- 1791—February—Appointed Brigadier-General of the United States.
- 1793—Conducted the Etowah Expedition against the Indians, it being the last military service rendered by him, and the only expedition or campaign for which he ever received compensation from the government. Etowah is the site of the present city of Rome, Ga.
- 1797—September 9—Moved to Knoxville from Nollichucky.
- 1798—July 19 to June 1, 1800—Brigadier-General United States Army.
- 1796—1801—Governor of Tennessee three terms.
- 1803—December 30—Valentine Sevier, his father, died, 100 years old.
- 1803—1809—Governor of Tennessee three terms.
- 1811—1815—Member of the United States Congress.
- 1813—Presented a sword by the Legislature of North Carolina.
- 1815—Appointed by President Monroe on a mission to Alabama to settle the boundary between the Creek Indians and the white settlers.
- 1815—Re-elected to Congress, but died before he knew of his re-election.
- 1815—September 24—Died near Fort Decatur, Alabama.
- 1889—June 18—Remains brought back to Tennessee, and buried in the courthouse yard, at Knoxville.



GOVERNOR JOHN SEVIER



CHAPTER 18.

John Sevier—His History.

The Sevier family is French in origin, and is "Xavier" in French, but was Anglicized to "Sevier" when the grandfather of John Sevier settled in London and there married. He had a son Valentine who, it seems ran away from home and came to America about the year 1740. Valentine Sevier was the father of John Sevier, and he had some dissipated habits. He landed at Baltimore, where he later married Miss Joanna Good, and he and his wife settled in Rockingham County, Virginia, where he cultivated a farm, and where John Sevier was born September 23, 1745. The family moved to Fredericksburg, where John attended school for two years, and later came back to Rockingham County and opened up a store and traded with the Indians. John Sevier also went to school at Staunton. After arriving at the age of usefulness in the store, he worked with his father, and in 1761, before he was seventeen years old he married Miss Sara Hawkins. He laid out the village of New Market, and kept a store there for some time. In 1771 he is said to have visited the Western waters—the Holston, Watauga and Nollichucky—on a prospecting and trading expedition with goods, and it is certain that he went there in 1772. In 1772 he was appointed a Captain in the Virginia line by Lord Dunmore, and Evan Shelby was also a Captain in the Virginia line, and had settled at King's Meadows, Bristol, Tennessee, and he invited young Sevier to visit him, which he did and during that visit, General Shelby and his son, Isaac, and Sevier, all rode horseback down to the Watauga, and became acquainted for the first time with James Robertson, who had been located there about one year.

In 1773, Captain Sevier started with his family to the Western waters, and with him came his father and mother, his brothers, Robert, Joseph and Abraham, and sisters, Polly and Catherine. His brother Valentine was already there. They reached their new home December 25, 1773, which was located on the North

Holston River, where Sevier conducted a mercantile business for a length of time that does not clearly appear. He then moved to the Watauga, and lived there for a length of time which also does not clearly appear, but it is certain that in 1778 he moved from the Watauga to Mount Pleasant, on the Nollichucky River, and there spent the remainder of the time until he moved with his family to Knoxville in 1797. He conducted his farm on the Nollichucky with slave labor. His father, Valentine Sevier, died December 30, 1803, one hundred years old. Sevier, like Andrew Jackson, was a good business man, and was successful in accumulating property, both after he came to Tennessee, as well as in Virginia, and had he not spent his fortune in equipping expeditions against the Indians, and keeping open house, he would have died a wealthy man for his day, and not, as he did, practically broken up.

He was at Watauga fort when it was attacked by the Indians in July, 1776, and it was upon this occasion that Catherine Sherrill, who afterwards became his wife, is said to have made her historical run to get over the palisade from which she jumped, and was caught by Captain Sevier. The assault of the Indians was successfully repulsed, and a number of them killed. With this defense of Fort Watauga began the career of John Sevier as a patriot, soldier, and Indian fighter, that was not to cease until 1815, when he died on a mission connected with the Creek Indians, in the State of Alabama.

In 1775 he was elected Clerk of the first Court, and the next year was made a delegate to the North Carolina Convention at Halifax. He served on Colonel Christian's expedition against the Cherokees, and was later appointed Lieutenant-Colonel for Washington County, which had been created out of all of the territory west of the mountains.

Sevier's relations to the people of the Western waters were probably never duplicated anywhere. It did not take the mountain men long to discover that he was a natural leader in whom they could absolutely confide, and we probably could not do better than to adopt the opinion of Roosevelt, who is usually none too enthusiastic about Sevier, but whose opinion, nevertheless, in this instance, is a magnificent tribute to him. Roosevelt says:

"Sevier, who came to the Watauga early in 1772, nearly a year after Robertson and his little colony had arrived, differed widely from his friend in almost every respect save high-minded-

ness and dauntless, invincible courage. He was a gentleman by birth and breeding, the son of a Huguenot, who had settled in the Shenandoah Valley. He had received a fair education, and though never fond of books, he was, to the end of his days an interested and intelligent observer of men and things, both in America and in Europe. He corresponded on intimate and equal terms with Madison, Franklin, and others of our most polished statesmen; while Robertson's letters, when he had finally learned to write them himself, were almost as remarkable for their phenomenally bad spelling as for their shrewd common sense and homely straight-forward honesty. Sevier was a very handsome man; during his lifetime he was reputed the handsomest in Tennessee. He was tall, fair-skinned, blue-eyed, brown-haired, of slender build, with erect military carriage and commanding bearing; his lithe, finely proportioned figure being well set off by the hunting shirt which he almost invariably wore. From his French forefathers he inherited a gay, pleasure-loving temperament that made him the most charming of companions. His manners were polished and easy, and he had great natural dignity. Over the backwoodsmen he exercised an almost unbounded influence, due as much to his ready tact, invariable courtesy, and lavish, generous hospitality as to the skill and dashing prowess which made him the most renowned Indian fighter of the southwest. He had an eager, impetuous nature, and was very ambitious, being almost as fond of popularity as of Indian fighting. He was already married and the father of two children when he came to the Watauga, and, like Robertosn, was seeking a new and better home for his family in the west. So far his life had been as uneventful as that of any other spirited young borderer; he had taken part in one or two unimportant Indian skirmishes. Later he was commissioned by Lord Dunmore as Captain in the Virginia Line."

WHY HE CAME WEST.

In nothing that has been written about John Sevier, and the amount written has not been large, is there an adequate explanation of why he took up with the mountain men, unless it be his love of adventure. While very young during his business ventures in Virginia, he was evidently very successful, and he is reputed to have been a man of independent means for that day. There is no evidence of his making money an object after he came to the Watauga; on the contrary, it was a constant loss, and he finally died a poor man; his home, hospitality, pocketbook, horses and stock, appear to have all been at the disposal of his friends, and he kept practically open house for everybody. This course would naturally make him an exceedingly popular man, and it also made him a poor man, and finally broke him up. He

was by birth and breeding a higher type of man than those he settled among. His prospects were flattering in Virginia, where he had become in good circumstances, hence we can find no ostensible reason for his leaving Virginia and coming to Tennessee, except the love of excitement, adventure and leadership.

Sevier's participation in the Battle of King's Mountain is told in that part of this book treating of King's Mountain. In 1780 he was commissioned by Governor Nash of North Carolina Colonel Commandant of Washington County.

In all, he is credited with participating in thirty-five battles, and achieving thirty-five victories, many of these battles were, of course, skirmishes with the Indians, but there were four that were serious military achievements, and they were at Boyd's Creek, Chota, against the Erati Cherokees and at Etowah, and in all of these he exhibited every quality that goes to make up a great military leader.

The battle at Boyd's Creek, on December 16, 1780, was one of the most severely contested battles in our pioneer history, and was followed up by the Chota Expedition, which was greatly successful, and in which he was joined by Colonel Arthur Campbell with troops from Virginia, and Major Martin, with troops from Sullivan County. They burned the villages and houses of the Cherokees and destroyed their stock. Ramsey says that every Indian town between the Tennessee and the Hiawasee was reduced to ashes. They continued on down with their troops until they came to the Chickamauga towns, or Lookout towns, near where Chattanooga now is, and burned towns and villages, and killed cattle, hogs, and other stock, and spread devastation over the whole face of the country. From the Chickamauga towns they proceeded on down to the Coosa country, where the destruction of towns, houses, grain and stock continued. Returning by Chota, a conference was held with the Cherokees, and the terms of peace were agreed upon, upon which they turned the face of the army towards home, and marched back towards Watauga.

The leaders then sent a message to the Cherokees:

"Chiefs and Warriors:

"We came into your country to fight your young men; we have killed many of them, and destroyed your towns. You know you began the war by listening to the bad counsels of the King of England and the falsehoods told you by his agents. We are

now satisfied with what is done, as it may convince your nation that we can distress you much at any time when you are so foolish as to engage in war against us. If you desire peace, as we understand you do, we, out of pity to your women and children, are disposed to treat with you on that subject.

"We therefore send you this by one of your young men who is our prisoner, to tell you if you are disposed to make peace, six of your head men must come to our Agent, Major Martin at the Great Island within two moons, so as to give him time to meet them with the flag-guard on Holston River at the boundary line. And to the wives and children of those of your men who protested against the war, if they are willing to take refuge at the Great Island until peace is restored, we will give a supply of provisions to keep them alive.

"Warriors, listen attentively! If we receive no answer to this message until the time already mentioned expires, we shall then conclude that you intend to continue to be our enemies; we will then be compelled to send another strong force into your country that will come prepared to remain in it, to take possession of it as a conquered country, without making you any compensation for it.

"Signed at Kai-a-tee, the 4th January 1781.

"By Arthur Campbell, Colonel,

"John Sevier, Colonel,

"Joseph Martin, Agent and Major of Militia."

The punishment inflicted by the Chota Expedition and this communication kept the Indians quiet for a while, but it was not a permanent peace, and Sevier was always on the outlook for Indian murders and outrages, and he so continued until his final expedition against the Indians at Etowah, now Rome, Georgia, which was the last in which he was engaged.

But in difficulty of achievement, and brilliancy of results, Sevier's expedition against the Erati Cherokees is one of his greatest military feats. This expedition was carried out in March 1781, and consisted of about one hundred and fifty men going against twelve hundred of the Erati, whose homes were in almost inaccessible parts of the Great Smoky Mountains, where they had been visited by few white men. It is one of the wildest mountain sections of the world, and to penetrate it from the east would seem an impossibility. On the Watauga there was only one white man who knew anything about the home of the Erati. This was Isaac Thomas, with whom as a guide Sevier set out on his expedition over mountain tops and through valleys and across rivers and mountain torrents for a distance of two hundred miles. He successfully made his way, and finally came to the towns of the

Erati. Considering the great distance he had to go, the nature of the country he had to travel, the mountains and gorges he had to cross, the wide, unbroken wilderness he had to traverse, the strength of the Indians he was seeking to assault, the expedition is simply wonderful, and it is probable that there was not a man living in pioneer America except John Sevier who would have undertaken it, but he did undertake it, and he brought it to a brilliant and successful conclusion. It took a leader of iron will and adventurous disposition and courage that did not know what fear was, to carry out such an expedition.

SWORDS OF SEVIER AND SHELBY.

On January 18, 1781, at its first session after the Battle of King's Mountain, the General Assembly of North Carolina passed a resolution that a sword and pistol should be presented to Isaac Shelby and John Sevier, each, in recognition of what they had accomplished at King's Mountain. For some reason, unexplained, this resolution of 1781 was never carried into effect until July 17, 1813, when Governor Hawkins of North Carolina wrote to Sevier this letter:

"Executive Office, North Carolina.

"Raleigh, 17 July, 1813.

"Sir:—

"In compliance with a resolution of the General Assembly of the State passed at their last session, I have the honor of tendering you the sword which this letter accompanies as a testimonial of the distinguished claim you have upon the gratitude of the State for your gallantry in achieving with your brothers in arms the glorious victory over the British forces commanded by Colonel Ferguson at the Battle of King's Mountain on the memorable 7th October, 1780. This tribute of respect, though bestowed at the protracted period, will not be considered the less honorable on that account when you are informed that it is in unison with a resolution of the General Assembly passed in the year 1781, which from some cause not well ascertained, it is to be regretted was not complied with.

"Permit me, sir, to make you an expression of the high gratification felt by me at being the favored instrument to present to you in the name of the State of North Carolina this testimonial of gratitude, this meed of valor, and to remark that, contending as we are at the present time with the same foe for our just rights, the pleasing hope may be entertained that the valorous deeds of the heroes of the Revolution will animate the soldier of the existing war, and nerve his arm in laudable emulation to like

achievements. I beg you to accept an assurance of the just consideration and respect with which I have the honor to be sir,

"Your obedient servant,

"William Hawkins,

"General John Sevier."

At the time this letter was written General Sevier was a member of Congress from the Knoxville District, and was in Washington, and made reply:

"With that memorable day" (alluding to October 7, 1780), "began to shine and beam forth the glorious prospects of our American struggle. * * * In those trying days I was governed by love and regard for my common country and particularly for the State I then had the honor of serving, and in its welfare and prosperity I shall never cease to feel an interest. I was then ready to hazard everything dear to man to secure our independence; I am now as willing to risk all to attain it. * * * It is to be lamented that the heroes and fathers of our Revolution have fallen into the arms of old age and death, and that so few of them remain to benefit the country by their advice or their services in the field. * * * Our country must become acquainted with the arts of active warfare, and then I am proud in thinking they will become better soldiers than those of any other nation on the globe, and we will soon be able to meet the enemy at every point."

The Battle of King's Mountain must have given North Carolinians a very high estimate of Sevier and Shelby, for, on February 13, 1781, less than five months after the battle was fought, the General Assembly of North Carolina, in session at Halifax, passed the following resolution:

"Resolved: That Colonel Isaac Shelby of Sullivan County and John Sevier, Esquire, of Washington County be informed by this resolve which shall be communicated to them, that the General Assembly of the State are feelingly impressed with the very dangerous and patriotic services rendered by the inhabitants of the said counties, to which their influence has in great degree contributed. And it is earnestly urged that they would practice a continuance of the same active exertion; that the state of the country is such as to call forth its utmost powers immediately in order to preserve its freedom and independence."

Right at this time Sevier was unable to respond to this request, being engaged in protecting the mountain settlements from the Cherokees; but on September 16, 1781, following, General Greene wrote to Sevier informing him of conditions near Yorktown, and asking that he bring a body of riflemen as quickly as possible to

Charlotte, North Carolina; and Sevier at once raised two hundred riflemen on horseback, and marched them across the mountains, and joined his forces with those of General Marion on the Santee and co-operated with Marion.

In 1785 the Legislature of North Carolina created Sevier Brigadier General of Washington District.

COMPROMISE BETWEEN SEVIER AND SHELBY.

In 1787 the feeling was high between the adherents of North Carolina and supporters of the State of Franklin, and it became evident that unless something was done a civil war might result, to prevent which negotiations of some kind or another should be opened and their merits tested. It was finally settled that General Evan Shelby, Jr., who had the confidence of the North Carolina government should be the negotiator for that State, and accordingly a conference was held at the house of Samuel Smith on March 20, 1787, to see if the difficulties could be accommodated. At this conference Governor Sevier represented the State of Franklin. Sevier and Shelby were both men of the most intrepid courage, patriotism, high character and sound judgment, and it did not take the two long to reach the agreement that a temporizing policy was the wisest policy for the moment, and that opportunity be given for the situation to work itself out, as they both thought it would do. Men of less wisdom and stamina might have entered the conference in a hostile state of mind, each determined to have his own way, the results be what they might; but Sevier and Shelby acted upon high principles, and while their compromise did not actually settle anything, for the time being it did have the result of letting the situation settle itself, which it did by the next year, so weakening the sentiment for the State of Franklin as to cause the peaceable downfall of that government. It is rare in history that two men stand out so vividly for political wisdom and sound judgment at a time when any other line of conduct might have brought on civil war. The entire story of what took place between Sevier and Shelby, and the agreement reached, is told by General Shelby in a communication to Governor Caswell of North Carolina.

GENERAL SHELBY TO GOVERNOR CASWELL.

"Sullivan County, March 21st, 1787.

"Dear Sir:—Your letter and the packets which you were pleased to forward by your son, I have received, and the com-

missions to the several counties belonging have been forwarded, except those to the county of Greene, yet in my hands, not well knowing who to direct them to. The proclamations have been disposed of accordingly. I have held a conference with Mr. John Sevier, Governor of the Franklin people. The enclosed is a copy of what was there concluded between him and me. It is submitted to the legislature. The people of Franklin have lately held an Assembly for their State, and have passed a bill for opening an office for to receive entries for the lands included between French Broad and Tennessee Rivers. Also, they have laid a land and poll tax on the people. Conformably to the commissions for the peace sent up, courts of pleas, etc., have been held in the counties of Washington, Sullivan and Hawkins, without any opposition. Many people are firmly attached to North Carolina; others are as obstinate against it; however, it is to be hoped that time and reflection will restore them friendly to North Carolina.

"The animosities arising from difference of opinion in governments among our people here have run high. To quiet the minds of the people, and preserve peace and tranquility till something better could be done, was the reason that induced me to hold a conference and conclude on the articles enclosed. I would be much rejoiced if, as you mention, you would think, in earnest, to come and live among us. You might do much here.

CONFERENCE AT SMITH'S.

"At a conference held at the house of Samuel Smith, Esquire, on the 20th day of March, 1787, between the Honourable Evan Shelby, Esquire, and sundry officers, of the one part, and Honorable John Sevier and sundry officers, of the other part. Whereas, disputes have arisen concerning the propriety and legality of the State of Franklin, and that sovereignty and jurisdiction of the State of North Carolina over the said State and the people residing therein.

"The contending parties, from the regard they have to peace, tranquility and good decorum in the Western country, do agree and recommend as follows:

"First. That the courts of justice do not proceed to transact any business in their judicial departments, except the trial of criminals, the proving of wills, deeds, bills of sale, and such like conveyances; the issuing of attachments, writs and any legal process, so as to procure bail, but not to enter into final determinations of the suits, except the parties are mutually agreed thereto.

"Secondly. That the inhabitants residing within the limits of the disputed territory are at full liberty and discretion to pay ✓ their public taxes to either the State of North Carolina or the State of Franklin.

"Thirdly. That this agreement and recommendation continue until the next annual sitting of the General Assembly of

North Carolina, to be held in November next, and not longer. It is further agreed, that if any person, guilty of felony, be committed by any North Carolina justice of the peace, that such person or persons may and shall be received by the Franklin sheriff or gaoler of Washington, and proceeded against in the same manner as if the same had been committed by and from any such authority from under the State of Franklin. It is also recommended, that the aforesaid people do take such modes and regulations, and set forth their grievances, if any they have, and solicit North Carolina, at their next annual meeting of the General Assembly, for to complete the separation, if thought necessary by the people of the Western country, as to them may appear most expedient, and give their members and representatives such instructions as may be thought most conducive to the interest of our Western World, by a majority of the same, either to be a separate State from that of North Carolina, or be citizens of the State of North Carolina.

✓ "Signed and agreed, on behalf of each party, this day and year above written.

" 'Evan Shelby,
" 'John Sevier.' "

ARREST OF SEVIER.

The State of Franklin arose in 1785, and perished in 1788, and during the three years of its existence, John Sevier was its Governor; and it is in connection with the State of Franklin that he was arrested and taken to Morganton, North Carolina, and there rescued by his sons and friends. The history of the State of Franklin, and the causes of its existence will be given in another part of this volume; this chapter concerns only the personal fortunes of John Sevier, and the Seviers. The arrest of Sevier came about in this way:

Two sets of Courts were claiming each to be the duly authorized Courts in the territory of the State of Franklin, one set having officers appointed by the State of North Carolina, and the other officers appointed by the State of Franklin, and this of course, brought to an acute issue the authority of the respective Courts. An execution had been issued in 1787 and placed in the hands of the sheriff to be levied upon the estate of Governor Sevier, and the sheriff acting under the authority of the State of North Carolina, upon the strength of this execution, levied upon some of Governor Sevier's negroes to satisfy it, and moved them from Sevier's farm to the house of John Tipton, who was a supporter of North Carolina and a personal enemy of Sevier's. At the time this levy was made Sevier was on the frontier of Greene

County, defending the inhabitants against the incursions of the Indians. Upon receiving the information that his negroes had been levied upon, he returned at once and raised 150 men in Greene, Sevier and Blount Counties, and marched to Tipton's house to get possession of his negroes. Tipton had in his house not more than fifteen men at the time. Sevier had a small cannon with him, and it is due to his leniency and forbearance that Tipton's house was not blown into atoms, and every man in it killed. From Sevier's standpoint, the levy upon his negroes had been a gross outrage, and his action was to redress what he considered an outrage. This incident is one of the finest things in Sevier's entire record. When he reached Tipton's house, where there were only fifteen men, and he himself had one hundred and fifty men and a small cannon, he had Tipton completely in his power either to kill him, or to shoot his house to pieces, or to take him prisoner and put handcuffs on him, or to subject him to any indignity he saw fit. The difference between the two men cannot be better illustrated than by this forbearance on Sevier's part, when he had Tipton at his mercy, and Tipton's attempt to humiliate Sevier by having handcuffs put on him only a few days later, when he and a party captured Sevier and got possession of his person. Although smarting under the outrage of having his property levied upon, which had been brought about by John Tipton through personal dislike and jealousy of Sevier's popularity, Sevier virtually gave Tipton his life and liberty, and Tipton was never man enough to recognize the forbearance with which Sevier had acted towards him.

Phelan in his History of Tennessee compares the character of Sevier and Tipton in this way:

"The two men can scarcely be compared. Tipton was indeed a brave man, but he lacked intellectual force. Envy of Sevier's popularity was the ruling motive of his character. He was vindictive, relentless, and even malignant. One of the last acts of his official life was an attempt to destroy the reputation for honesty of Sevier, at that time Governor of Tennessee. He lacked the ardent generosity and fiery impetuosity of the latter though his anger was quickly and easily inflamed. He felt peculiarly fitted for command and the leadership of great enterprises. He had experienced the bitterness of seeing Sevier year after year, called to take the lead in all civil as well as military crises. His hatred of Sevier was Indian-like in its intensity, and his threat to have him shot, after the collapse of the State of Franklin, was made with the determination of having it carried

out. He was deterred only by appeals to his reason and his self-interest. He always thought of Sevier only as one who had warped his career and reaped the reward which else would have fallen to his own share. After Robertson's departure, there was none who could have contested the leadership of the frontier with Tipton but Sevier.

"When Sevier, upon receipt of his commission as Brigadier-General of the newly erected district, stood upon the steps of Jonesboro courthouse and advised the people to return to their allegiance, Tipton stood firm to the cause of the new State. But when Sevier, yielding to the dictates of his own inclinations and the persuasions of his friends, returned to the cause which it was popularly supposed he had deserted, Tipton wavered. When Sevier was elected Governor of the new State, his rage knew no bounds. He allowed himself to be hurried into extremities of resistance to the new government which frequently caused the shedding of blood and possibly loss of life. He held court at Buffalo near Jonesboro, under the authority of the parent State. On one occasion, he entered the courthouse at Jonesboro, captured the records, and turned the justices out of doors. He broke up a court sitting at Greeneville, under the authority of the new State. He had a personal altercation with Sevier on the streets of Jonesboro."

Sevier's refusal to blow up Tipton's house and kill all in it, and his declining to make war by armed force on his fellow citizens, has been taken by all the historians who have written on the subject to demonstrate that he never at any time was willing to raise his hand against a fellow citizen, even if that fellow citizen might be, as in the case of Tipton, a jealous, unscrupulous enemy. A heavy snowstorm ensued, while Sevier had Tipton in his power, and not desiring to shed the blood of any citizen, by degrees Sevier's determination to get back his negroes yielded, and declining to make any further contest over the matter, he and his men withdrew from before Tipton's house. By so doing, he prevented civil war west of the mountains. There is no doubt that if he had chosen to resist North Carolina, and challenge that State to send an army across the mountains to enforce her laws, that he could have whipped her, and have kept the State of Franklin in existence by force of arms; he could have either killed or captured Tipton, who was the only open and outspoken enemy he had; therefore, the historian who writes Sevier's life, and who adequately paints his forbearance under overwhelming provocation, must concede that his conduct at the end of the last year of the State of Franklin was generous, patriotic, and great; that history tells of few men whose moral sublimity towers higher than his;

and that it would be difficult to find in history a man whose conduct was more intolerable than that of John Tipton, whose patent jealousy and egregious vanity led him to believe that he was big enough to be a competitor of John Sevier in the affections of the mountain men. The levying on Sevier's negroes was merely a trick to attempt to bring Sevier into opposition to North Carolina, and thereby brand him as a traitor, and this was done.

The date of Sevier's appearance at Tipton's house with his men is not certain, but it was sometime during the month of February 1788. The term of office of Governor Caswell as Governor of North Carolina expired, and Governor Samuel Johnson succeeded him, and personal enemies and politicians, desirous of getting rid of Sevier, kept up misrepresentations of his acts and doings to Governor Johnson, until finally the Governor issued instructions to Judge Campbell as follows:

"Hillsborough, 29 July, 1788.

"Sir: It has been represented to the Executive that John Sevier, who styles himself "Captain-General of the State of Franklin," has been guilty of high treason in levying troops to oppose the laws and government of this State and has, with an armed force put to death several good citizens. If these facts shall appear to you by affidavit of creditable persons you will issue your warrant to apprehend said John Sevier, and in case he cannot be sufficiently secured for trial in the District of Washington, order him to be committed to public goal."

Judge Campbell, to whom the Governor had directed his order, refused to execute it, but Judge Spencer, who held, by authority of the State of North Carolina, in conjunction with Judge Campbell, a court at Jonesboro, issued a warrant against Sevier charging him with high treason, and he was finally apprehended by Tipton and a party with him at the house of Mrs. Brown, where he had stayed all night. This was about sun-up and Sevier opened the door, and addressing Colonel Love, who was with John Tipton's party, said: "I surrender to you." Tipton had a pistol in his hand, and swore he would shoot Sevier, but finally quieted down, and ordered Sevier to get his horse to go to Jonesboro. On reaching Jonesboro, Tipton ordered handcuffs to be put on Sevier, and he there left him, with directions to the officers in charge to take him to Morganton, North Carolina. Sevier sent word to his wife to send him some money and some clothes, which she did, and he and the officers in charge started to North Carolina. A few days afterwards, Sevier's son John,

his brother Joseph, George North, James Cozby, Jesse Green and William Matlock, followed and found Sevier at a tavern, got him, and started back to East Tennessee. Colonel Love travelled with them until in the afternoon, and before he left, he got the handcuffs taken off.

More than one narrative has been given as to how the rescue of Governor Sevier was effected. One of the versions is that the Court at Morganton was in session, and the Governor was being tried, and that a great crowd was in and around the courthouse, but later, and apparently better information is that this account is erroneous, and the following, given by the Governor's son John, who was with the rescuing party, seem to be the real facts of the case:

"Immediately after the fall campaign of 1788, Colonel Sevier was arrested and taken to North Carolina. Gourley and French guarded him, and French shot at him. When they delivered their prisoner to the jailer at Morganton, who had fought at King's Mountain, he knocked off the irons from his hands, and told him to go where he pleased, not, however, to leave the place. Joseph Sevier, the Colonel's brother, John Sevier, Jr., George North, Doctor James Cozby, Jesse Green, and William Matlock, went after the Colonel; when within a few miles of Morganton they stopped one night with Uriah Sherrill, brother-in-law to Colonel Sevier, from whom they learned that the Colonel was not confined, and treated with great lenity. Next morning they rode into town altogether, no Court sitting, the sheriff absent, went to the tavern, and there found Colonel Sevier in company with Major Joseph McDowell and told him frankly that they had come for him, and that he must go. After tarrying an hour or two without any fear from the jailer or any one else, Colonel Sevier ordered his horse, and all started off before noon, in the most open and public manner, and returned home. They did not know but that the sheriff might possibly follow them, when he heard of Colonel Sevier's return, but he did not."

The effect of the arrest and handcuffing of Governor Sevier was what might naturally be expected among the mountain men: it made him more popular and his friends more devoted than ever. At the first election following, he was chosen from Greene County to the State Senate of North Carolina, and in 1789 he went to Fayetteville, North Carolina, to take his seat, which was at first refused, but a resolution was finally passed to restore him to all the rights of full citizenship, which was strongly opposed by John Tipton, who was also a member of that body; and Governor Sevier was sworn in as a member of the Senate. He was

reinstated as Brigadier-General of Washington District. Acts were passed confirming the Acts of the Courts of the State of Franklin, and legalizing marriages under that government.

On the 21st of November, 1789, after North Carolina had ratified the Federal Constitution, John Sevier and James Robertson were appointed by George Washington Brigadier-Generals, the one of the Watauga District, and the other of the Cumberland District, and in 1790 General Sevier was elected Member of Congress and took his seat as a Member of Congress from North Carolina on June 16, 1790. If he had a competitor in the race for Congress, his name has not come down to us.

On February 25th, 1790, North Carolina ceded to the United States all of her territory west of the Alleghanies, and it was accepted by Congress on April 2d, and by August 7th this territory with all other south of the Ohio River, was constituted into the "Territory Southwest of the River Ohio."

CHAPTER 19.

John Sevier and the Seviers—Elected Governor—
Proclamation to the Cherokees—His Religion—
Bishop Hoss to the Author—
Jackson and Sevier for Statuary Hall.

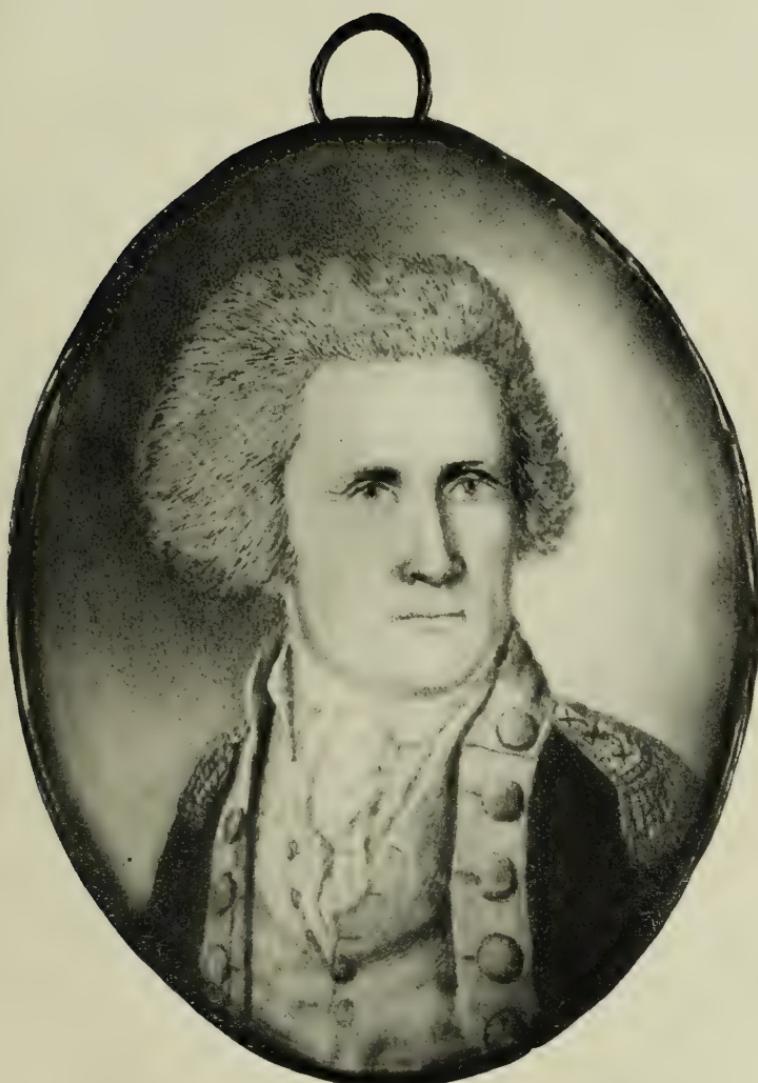
In 1797, John Sevier moved from his home on the Nollichucky to Knoxville and rented Major McClung's house at ten dollars a month.

The last and one of the most important military campaigns carried on by him against the Indians was the Etowah Campaign in 1793, Etowah being where the present city of Rome, Georgia, is located. General Sevier's army consisted of about five hundred mounted men, a part of which were troops from Washington District commanded by Colonel John Blair, and from Hamilton District under Colonel Christian.

It was in this fight that Hugh Lawson White got the reputation of having killed the Indian Chief, King-Fisher. White was a member of the expedition, and he and some comrades leveled their guns on King-Fisher, and all fired, and the Indian fell. The town was set on fire and the Indians repulsed. Sevier's victory was complete. On this expedition he was acting as Brigadier General of the United States, and by virtue of that fact he and his men were compensated by the United States government. This was the last military service ever rendered by Sevier, and was the only one for which he ever received any compensation from the government.

In his diary of October 14, 1793, Sevier quotes the following order to his men:

"It is ordered that from this time forward no person presume to set on fire any Indian hut or town in which there is corn or provision without there are orders from me to do the same. No firing of guns in or out of camp except leave from me or a field officer be first obtained, and as the officers of every rank are sensible of the baneful consequences of such unwarrantable conduct, it is earnestly requested that they will use their utmost exertion to prevent the same."



GOVERNOR JOHN SEVIER

Photograph from miniature in the possession of his great grand-son, Daniel Vertner Sevier of Jackson-ville, Texas, who sent the miniature to Calvin M. McClung of Knoxville, Tennessee, who had it photographed in January, 1918.

On October 20, 1793, Sevier issued a proclamation, addressed to the Cherokees, as follows:

"Camp Head of Amutekah Creek, 25 miles from Last Encampment, 20 Octo. 1793.

"To the Cherokees and their Warriors, if they have any:

"Your murders and savage barbarities have caused me to come into your country expecting you would fight like men, but you are like the bears and wolves. The face of a white man makes you run fast into the woods and hide. I pity your women and children, for I am sure they must suffer and live like dogs, but you are the cause of it. You will make war and then are afraid to fight. Our people whipped you mightily two nights ago crossing the river and made your people run very fast.

"John Sevier."

His official report to Governor Blount was as follows:

SEVIER'S OFFICIAL REPORT.

"Ish's Mill, 25th October, 1793.

"Sir:—In obedience to an order from Secretary Smith, I marched in pursuit of the large body of Indians, who, on the 25th of last month, did the mischief in Knox County, near the Grassy Valley. For the safety and security of our army, I crossed at one of the upper fords, on the Tennessee river, below the mountains. We then bent our course for Hiwassee, with expectations of striking the trail, and before we reached that river, we discovered four large ones, making directly into the mountains. We proceeded across the Hiwassee, and directed our march for Estanaula, on the Coosa River, at which place we arrived on the 14th instant, discovering on our way further trails leading to the aforesaid place. We there made some Cherokee prisoners, who informed us that John Watts headed the army lately out on our frontiers; that the same was composed of Indians more or less from every town in the Cherokee nation; that from the Turkey's town, Sallyquoah, Coosawaytah, and several other principal ones, almost to a man was out, joined by a large number of the Upper Creeks, who had passed that place on their return, only a few days since, and had made for a town at the mouth of Hightower River. We, after refreshing the troops, marched for that place, taking the path that leads to that town, along which the Creeks had marched, in five large trails. On the 17th inst., in the afternoon, we arrived at the forks of the Coosa and Hightower Rivers. Colonel Kelley was ordered, with a part of the Knox regiment, to endeavor to cross the Hightower. The Creeks and a number of Cherokees, had entrenched themselves to obstruct the passage. Colonel Kelley and his men passed down the river, half a mile below the ford, and began to cross at a private place, where there was no ford. Himself and

a few others swam over the river; the Indians discovering this movement, immediately left their entrenchments, and ran down the river to oppose their passage, expecting, as I suppose, the whole intended crossing at the lower place. Capt. Evans, immediately, with his company of mounted infantry, strained their horses back to the upper ford, and began to cross the river. Very few had got to the south bank, before the Indians who had discovered their mistake, returned and received them furiously at the rising of the bank. An engagement instantly took place, and became very warm, and, notwithstanding the enemy were at least four to one in numbers, besides the advantage of situation, Captain Evans, with his heroic company, put them in short time entirely to flight. They left several dead on the ground, and were seen to carry others off both on foot and horse. Bark and trails of blood from the wounded were to be seen in every quarter. Their encampment fell into our hands, and a number of their guns, many of which were of the Spanish sort, with their budgets, blankets and match coats, together with some horses. We lost three men in this engagement, which is all that have fell during the time of our route, although this last attack was the fourth the enemy have made upon us, but in the others, repulsed without loss. After the last engagement we crossed the main Coosa, where they had thrown up some works and evacuated; they suffered us to pass unmolested. We then proceeded on our way down the main river, near the Turnip Mountain, destroying, in our way, several Creek and Cherokee towns, which they had settled together on each side of the river, and from which they have all fled, with apparent precipitation, leaving almost everything behind them. Neither did they, after the last engagement, attempt to annoy or interrupt us on our march, in any manner whatever. I have great reason to believe their ardour and spirit were well checked. The party flogged at Hightower, were those which had been out with Watts. There were three of our men slightly wounded, and two or three horses killed; but the Indians did not, as I have heard of, get a single horse from us the time we were out. We took and destroyed near three hundred beeves, many of which were of the best and largest kind. Of course, their losing so much provision must distress them very much. Many women and children might have been taken; but, from motives of humanity, I did not encourage it to be done, and several taken were suffered to make their escape. Your Excellency knows the disposition of many that were out on this expedition, and can readily account for this conduct."

Tennessee was admitted into the Union as a State on June 1st, 1796, and Sevier was elected the first Governor, and was duly sworn in, and presented to the Legislature the following very brief inaugural address:

"Gentlemen of the Senate and House of Representatives: The high and honorable appointment conferred upon me by the free

suffrage of my countrymen, fills my breast with gratitude, which, I trust, my future life will manifest. I take this early opportunity to express, through you, my thanks in the strongest terms of acknowledgment. I shall labour to discharge with fidelity the trust reposed in me; and if such my exertions should prove satisfactory, the first wish of my heart will be gratified.

"Gentlemen—accept of my best wishes for your individual and public happiness; and, relying upon your wisdom and patriotism, I have no doubt but the result of your deliberations will give permanency and success to our new system of government so wisely calculated to secure the liberty, and advance the happiness and prosperity of our fellow citizens.

JOHN SEVIER."

To illustrate the conciliatory disposition of Governor Sevier it may be cited that he proceeded to issue commissions to civil and military officers in the different counties of the State, among them the magistrates of Washington County, and one of the magistrates named was John Tipton. Sevier's admirers of the day could wish that he had not done this. Tipton was not a man to be admired, and, with the exception of his personal courage, he had few qualities that called for respect.

The Governor's last message to the General Assembly was in September, 1799, and is one of the longest, if not the longest, that he ever addressed to that body while Governor, and is given in full:

GOVERNOR'S MESSAGE.

"Mr. Speaker, and Gentlemen of the Senate, and Gentlemen of the House of Representatives:

"It is with peculiar satisfaction I have the honour, this day, of meeting your august body in this House, where I have the pleasure of informing you the State is blessed with peace and quietude—the fields of the husbandman abundantly supplied with the fruits of the earth—our harvests have yielded to the labourer ample satisfaction for his toils, and the other crops of grain are equally proportionate.

"The laws and regular decorum, so far as come within my knowledge, I have reason to believe, are duly observed and supported throughout the government. Emigration and population are daily increasing, and I have no doubt, under the propitious hand of Providence, your patronage, the wise and wholesome laws you, in your wisdom, may think proper to enact, that our State will become more and more respectable and conspicuous, and the citizens enjoy all that happiness and comfort this human life, in an ordinary course, will afford them. The poor and distressed claim the first share of your deliberations, and I have not

the smallest doubt your attention will be duly directed to that, and every other object worthy of legislative consideration. Among other things, gentlemen, permit me again to remind you, that the landed estates of your constituents, in general, appear to be verging onto a very precarious and doubtful situation, and should a timely interference be neglected, it may become a subject of very great regret. I, therefore, beg leave to recommend, so far as may be consistent with the cession act, public and good faith, that you provide, in the most ample manner, for the security and peaceful enjoyment of all such property as may appear to be in jeopardy.

"Gentlemen of the Senate, and Gentlemen of the House of Representatives:

"I now proceed to enjoin on you the great necessity of promoting and encouraging manufactories, and establishing warehouses and inspections of various kinds. It will give a spring to industry and enable the agricultural part of the community to export and dispose of all the surplus part of their bulky and heavy articles. Providence has blessed this State with a soil peculiarly calculated for the production of wheat, hemp, flax, cotton, tobacco, and indigo; it abounds with ores and minerals, and has navigable rivers, amply sufficient to enable us to export to the best of markets. This being the case, gentlemen, you may readily conceive how essentially necessary it will be for the encouraging and promoting of all the advantages enumerated, for you to lend your early legislative aid and patronage. With respect to the affairs of Europe, I am not able to give you much satisfactory information. The public prints seem to furnish contradictory accounts, but so far as I am capable of judging, our affairs with France assume a less threatening aspect than heretofore, and I have the fullest confidence that the Executive of the General Government will use the greatest and wisest exertions to promote and secure the peace, safety and dignity of the United States.

"Gentlemen of the Senate and Gentlemen of the House of Representatives:

"I am deeply and sensibly impressed with the honor conferred on me by my fellow citizens, in being selected a third time, to preside as the Chief Magistrate of the State. I earnestly wish I possessed greater abilities and talents to enable me to discharge the important duties, trust and confidence they have reposed; but rest assured, so far as I am enabled, nothing will be lacking or neglected in me, that will tend towards the interest, welfare and safety of the State. Before I close this address, I cannot forbear requesting a harmony of measures in your councils, and that you unite in endeavoring to promote our dearest rights and interests, and I have the fullest hope, that by your wisdom and policy, you may secure to our country the advantages and respect to which it is entitled and has a right to enjoy.

"September 19th, 1799.

JOHN SEVIER."

The custom of the day was that the General Assembly, through its Speakers, should send to the Governor a written response to his message, and as such procedure is entirely novel to this generation of Tennesseans, the response of Speaker Outlaw of the Senate, and William Dickson of the House, are given in full:

"To his Excellency, John Sevier, Governor of the State of Tennessee:

"Sir: It is with peculiar satisfaction the Senate and House of Representatives received your communication announcing to them that our State is crowned with the blessings of peace and quietude; that the toils of the husband-man are amply rewarded with abundant crops; that the laws throughout the State, are well and duly executed; that emigration and population are daily increasing; and we beg leave now to assure you that, under the directing hand of All-seeing Providence, nothing on our part shall be wanting to increase the respectability of our rising State, and promote the welfare and happiness of our constituents.

"Receive, sir, our assurance that the matters and things contained in your communications, and recommended to us as objects of legislative attention, shall meet with that due investigation and deliberation that the importance of the different subjects requires.

"We beg leave, now, sir, to express our gratification of being the witnesses of your being once more called, by the unanimous suffrage of the freemen of Tennessee, to the seat of the Chief Magistrate of the State, and expressing our public confidence that you will continue to execute those duties, which appertain to your office, with that firmness, judgment and impartiality which have heretofore characterized the Chief Magistrate of Tennessee.

"A. E. OUTLAW, S. S.

"WM. DICKSON, Jun., S. H. R."

In 1803 Governor Sevier was re-elected Chief Executive of the State, and by re-election continued as Chief Executive until 1809. From 1811 to 1815, he was a member of the United States Congress from Tennessee.

PHELAN'S ESTIMATE OF SEVIER.

James Phelan, deceased, was a university man, studied at Leipzig, Germany, wrote and published a History of Tennessee in 1888, and "Philip Massinger and His Plays," in 1878; was a member of Congress from the Memphis District, and Editor of the Memphis Avalanche. He gave in his History of Tennessee an estimate of Sevier which is a very strong presentation of the

claim of Sevier's friends that while the work of his life was in limited territory—the State of Tennessee—he was entitled by his achievements to go down in history as one of the great men of the United States; and concurring in this opinion of Sevier, a quotation is presented from Mr. Phelan:

"John Sevier is the most prominent name in Tennessee history, and within these limits and upon this field he is the most brilliant military and civil figure this State has ever produced. Jackson attained a larger fame upon a broader field of action, and perhaps his mental scope may appear to fill a wider horizon to those who think his statesmanship equal to his generalship. But the results he accomplished affected the history of Tennessee only in so far as it formed a part of the United States. Sevier, however, was purely a Tennessean. He fought for Tennessee, he defined its boundaries, he watched over and guarded it in its beginning, he helped form it, and he exercised a decisive influence upon its development. It is safe to say that without Sevier the history of Tennessee would in many important respects not be what it now is.

"He came from a Huguenot family named Xavier, though his immediate ancestors were from England, and the infusion of French blood gave him all the vivacity, impetuosity, ardent sympathies, and suave bearing which are popularly supposed to be characteristic of that nation. In personal appearance he was rather tall, erect, and even when young inclined to robustness. He had the quick flash of eye and the hasty temper of the impetuous character. He excelled in the manly accomplishments of the age and surroundings in which he lived. As a horseman he had no equal, and he was fond of showing his craft to the best advantage by riding an animal of temper and mettle. In the art of Indian warfare he had no equal, and he never met a reverse. Mad Anthony Wane was not a greater terror to the Indians of the Miami than was Sevier to the Indians of the Cumberland and Tennessee. His rule of tactics was extreme caution in the absence or concealment of the enemy, reckless impetuosity in their presence. Governor Blount on one occasion declared that 'his name carried more terror to the Cherokees than an additional regiment would have done.' To his men he evinced that suave cordiality and well-judged familiarity characteristic of all the great captains of the world. His enthusiasm, his personal daring, his knightly disposition, made him the idol of his soldiers and his neighbors. His tenderness to his wife and his generosity to his children were proverbial. His house was always open, and nearly all of his expeditions against the Indians were partly at his own expense or the expense of the family. He was popularly known as 'Nollichucky Jack,' and the grim mountaineers worshipped him with an extravagance of adoration. They loved him with a warm, almost intense, personal regard which had grown from the time

when with Robertson he successfully defended the Watauga fort against the largest band of Indians that had ever invaded the settlement, to the time when he crushed them at Boyd's Creek. Sevier was not skilled in the learning of books, but of the life around him, he was a thorough master. He could read the woods and the rivers, and the minds and the thoughts of men, and he knew how to use his knowledge. This was sufficient. But it must not be thought he lacked the rudiments of an education. He could write well and forcibly, and though a 'spelling bee' of the present day might put him to the blush, he could spell as well as the average. His chief claim to a higher order of ability is justified by his clear vision of the present needs of his people, and of the future requirements of the State whose greatness he foresaw. He was one of the Committee of Five in the Watauga Association. He saw the necessity of a union between Watauga and North Carolina until the former had sufficient strength to maintain itself against outward encroachments. He wrote the petition for annexation, and he secured its adoption by the Congress of North Carolina. He saw the necessity of keeping the British troops from the young settlements. If Ferguson had once passed the Appalachian chain, he would have been met with fire and sword. His very mode of warfare made manifest his statesmanship. Of all the men of his time, he alone foresaw and had a determinate idea of the limits of the future State. He foresaw and denounced the ruinous restrictions with which Jay's proposition in reference to the navigation of the Mississippi would cripple the commerce of the Mississippi valley and of the young State about to be formed between North Carolina and the Great River. He recognized what should be the logical enlargement of the three original settlements. He realized the necessity of a sure and compact growth, and he advocated only such purchases from the Indians as could be secured by settlement when purchased. He was frequently termed by the Indians 'Treaty Maker,' and he figured in every treaty of importance which was made until the appearance of Andrew Jackson upon the stage of history."

JOHN HILLSMAN, ESQ., ON SEVIER.

Of the limited amount that has come down to us in written form from the contemporaries of Sevier, easily the most authentic and interesting is the statement of John Hillsman, Esq., now on file in the Tennessee Historical Society at Nashville. The statement was taken down in 1849 at Mr. Hillsman's residence near Knoxville, in the presence of the Reverend Elbert Sevier, a grandson of Sevier. Mr. Hillsman was a merchant and trader in Knoxville, and was personally acquainted with him, and made the statement here quoted. This is one of the very few expressions

in reference to him by any one of Sevier's contemporaries. Mr. Hillsman said:

"John Sevier was a very handsome man, probably the handsomest in the State—he had a noble bearing—really military, though very conciliating, without haughtiness. He was a native of Virginia, lived in early life near New Market, in Virginia, and at many places in Tennessee. He was always engaged in public service and can hardly be said to have had a home. As to himself he was at home everywhere; in Congress, the Legislature, in court, on the streets, on parade, marching, or in the tents or wild woods—little difference to him. He had a large family and is said to have owned much property—but whatever he had was at the service of his friends and for the promotion of the Sevier Party, which sometimes embraced nearly all the population. He knew how to get along with the people better than any man I ever knew. His house, his camp, his provisions, horses, means, were open to all his friends.

"Sevier was certainly a great soldier, a brave man, and most remarkable for his success in his Indian wars. What Judge Haywood has said of his Indian battles and victories and influence among savages, is true, so far as it goes—but the half is not told, for I have heard Sevier and many of his soldiers state a great many incidents of equal interest with those in Haywood's His'ty.—which ought to have been in the history of East Tennessee and Sevier's Indian Wars."

The only evidence of Sevier's religious belief the author has been able to find is in a letter to Mrs. Nancy King, his daughter, written in 1814, when he was a member of Congress.

JOHN SEVIER TO MRS. NANCY KING.

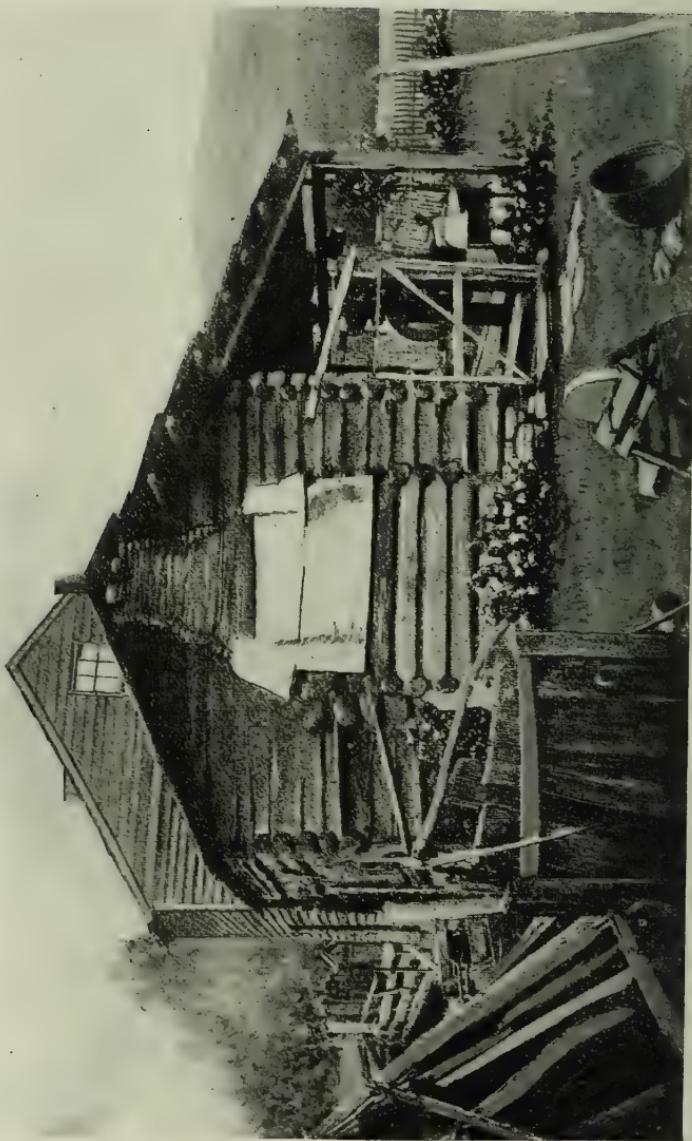
"Washington, 18th April, 1814.

"Dear Daughter:—

"Your affectionate letter of the 2nd inst. has been duly received, and affords me great pleasure to hear that you and your family are in health, the greatest blessing this world can afford.

"I am truly thankful to my child for her kind observations on the future state of these mortal and transitory bodies of this world. My dear child, suffer me to say I have no fears as respects my own conduct in this world of troubles. I am, to be sure, common flesh and blood, and liable to the same frailties in the common course of nature, but the _____ my neighbor or distressing any person never yet entered your aged father's head, and _____ un my mind are, that the creatures of this world are too impure to enter into the presence of our holy and exalted God. However, His goodness and mercy is beyond all comprehension, and is the basis on which we poor wretched mortals must rest our hopes and dependence.

One of the cabins that constituted the home of Gov. John Sevier, six miles south of Knoxville, Tennessee.



"I am mending slowly, and I hope I shall yet be able to see you and your family at Woodlawn, with which I am glad to hear you are so well pleased.

"The mail, in short time, leaves this place. We shall adjourn to-day; and I have scarcely time to write; little or anything new. My kind love to you all and believe me to be your affectionate father,

"John Sevier.

"Mrs. Nancy King."

MOVES SIX MILES SOUTH OF KNOXVILLE.

The date on which Sevier moved to the point where he made his home six miles south of Knoxville cannot be stated with accuracy, but he located on what is now known as the Martin Mill Pike, on the right hand, going from Knoxville, and about one mile before reaching Neubert Springs. His home consisted, as country homes generally did at that time, of a cabin, and J. U. Kirby, who is the present owner, says that there was the Governor's cabin, and three others, disconnected, and a smokehouse. The property passed out of the hands of the Governor and his heirs, and at the time Dr. J. G. M. Ramsey wrote his "Annals of Tennessee," it was owned by George W. Kirby, the father of J. U. Kirby, who sold it to the latter in 1868. A large spring bursts forth from the foot of the hill on which the residence is located, and the cut of the kitchen in this volume correctly reproduces that structure. The kitchen has never been torn down, and its walls and chimney are just as they were when General Sevier and his family occupied the premises.

The date he left his country home and moved to Knoxville is also uncertain. When he moved to Knoxville he occupied a large frame building with an ell at the southwest corner of the intersection of Cumberland Avenue and Water Street, now called Central Street. Just how long he lived at this house is uncertain, but we know that it was while living here that he started in 1798 to build what was at the time regarded as a splendid residence on the corner of Cumberland Avenue and Crooked Street, now Walnut. The history of the Governor's purchase of this site should be interesting to all Tennesseans, and especially to admirers of the Governor.

James White laid off the City of Knoxville in 1791, and on April 5, 1797, he sold to Governor Sevier one block, bounded by Cumberland Avenue, Market Street, then called Prince Street,

Main Avenue and Crooked Street, now called Walnut Street, one entire block, containing four lots, Numbers 53, 54, 59 and 60, of equal dimensions, and in the aggregate containing two acres and thirty poles.

Lot Number 59 was where the Park residence now stands. Lot Number 54 was at the corner of Cumberland and Market Streets where the Virginia Flats are located. Lot Number 53 was at the corner of Main and Prince Streets where there is a frame dwelling house, and lot Number 60 was at the corner of Main and Crooked, now called Walnut Street, where the residence of the late Colonel J. Y. Johnston stands. Each of these lots occupied one-quarter of the block.

Governor Sevier began the erection of a brick residence on Lot Number 59, and built up to the first floor that part nearest Cumberland Avenue, and then stopped, and afterwards moved back to his country home, at a date that is not clear. He was at this time in embarrassed financial circumstances.

The Governor held the four lots bought from General White until April 25, 1801, when, for a consideration of one thousand dollars sold them to George Washington Sevier, his oldest son by his second wife, and on April 28, 1807, the Governor and his son, George Washington Sevier, conveyed the lots in consideration of \$2,600.00 to James Dunlap, of Wateree, South Carolina, and the acknowledgment of the deed was taken before John N. Gamble, Deputy of Charles McClung, County Court Clerk of Knox County, at the July session of the Court, 1808, and it was registered by Robert Craighead, Deputy of Samuel G. Ramsey in the Knox County Register's Office. On April 7, 1809, for a consideration of \$5.00, James Dunlap conveyed the four lots to William Herbert, Executor of John Dunlap, deceased, and the deed bore a recital as follows:

"Whereas, John Sevier and George W. Sevier did, by their indenture bearing date 28th day of April, 1807, convey to said James Dunlap the hereinafter described premises in part payment of a debt due from the said John Sevier to the estate of John Dunlap, deceased; and

"Whereas, it is the intention of the said James Dunlap to reconvey the same to William Herbert, Executor of the said John Dunlap, who, as such, is entitled thereto."

On April 15, 1809, William Herbert, of Alexandria, District of Columbia, as surviving executor of John Dunlap, deceased,

Home at Knoxville, Tennessee, for more than a century of Dr. James Park and ancestors. The house was built up to the first floor by Governor John Sevier, never finished by him and sold.



gave a power of attorney to John McIvor, of Alexandria, District of Columbia, to convey the four lots, and on February 20, 1812, John McIvor as attorney in fact, in consideration of \$1,100.00 conveyed them to James Park.

James Park was born in Balleighan, Manor Cunningham, Donegal County, Ireland, April 14, 1770, and came to the United States in 1796, and settled in Knoxville in March, 1798. He was a merchant, and was mayor of Knoxville from 1818 to 1821, and from 1824 to 1826. He died in Knoxville September 19, 1853, and the property purchased from John Sevier and his son descended to James Park, Jr., who is known to the citizens of Knoxville as Dr. James Park, now deceased. The coming of James Park from Ireland to Knoxville brought some of the best Scotch-Irish blood, and was the means of founding a family of the highest worth in Tennessee and the South. Descendants of Scotch-Irishman James Park are in many States of the Union, and, as a rule, they are Presbyterians and a high type of men and women; they have held in various States public positions which argues the estimation of their fellow citizens.

James Park, Jr.—Dr. James Park—was born in the house he died in—the one John Sevier commenced to build—on September 18, 1822, and died July 14, 1912. He was one of the grand old men of Tennessee, whose memory is among the choicest possessions of everybody who knew him. He had in an eminent degree the Scotch-Irish characteristics, high integrity, fair-mindedness, respect for law, consideration of the rights of others, and devotion to family and friends. He was the old type of American citizen which seems to be passing away, and which will leave a void when the type is gone. Dr. Park had every personal virtue that any other man ever had, and his life illustrates the strong, honorable, fearless and upright citizen and gentleman. May his memory long survive!

At the time Governor Sevier was commissioned by President Monroe to attempt to settle the Creek boundary lines in Alabama, he was living at his country home south of Knoxville, and his family was living there when he died.

SEVIER'S MARRIAGE AND CHILDREN.

John Sevier was twice married, the first time to Miss Sarah Hawkins, in 1761, who died in January or February 1780.

We have been able to find nothing about the family of Sarah Hawkins, and the impression of the writers about her is that she was a school-mate sweetheart of Sevier's.

The following letter from Bishop E. E. Hoss of the Methodist Episcopal Church South throws light upon the family history of Sarah Hawkins. The reply follows:

BISHOP HOSS TO THE AUTHOR.

"Galbraith Springs, Tennessee, Sept. 6, 1918.

"Hon. S. G. Heiskell,
Knoxville, Tennessee.

"My Dear Sir:

"I have very much enjoyed reading during my enforced rest at this place, your 'Andrew Jackson and Early Tennessee History', and write this note to thank you for the same.

"It was my good fortune to know your father, and to visit him repeatedly while he was confined to his bed in his last sickness, and to officiate at his funeral. My estimate of him as a man of uncommon probity and uprightness was confirmed by my frequent interviews with him.

"If I had been near you, I could have given you information on several points which I am sure you would have been glad to have.

"1. Valentine Sevier, Governor Sevier's father, came to America in company with his brother William between 1730 and 1740. This brother settled in Maryland, and married a Roman Catholic lady named O'Neal.

"He has had a considerable posterity, some of whom afterwards moved to Kentucky and Tennessee. His great-grandson, Col. Frank Sevier, became Lieut. Colonel of the First Tennessee Regiment, C. S. A., and was the father of Capt. Granville Sevier of the U. S. A.

"2. The wife of Valentine Sevier I, and mother of Governor John Sévier was not Good, but Goode. Governor Sevier's daughter, Mrs. Windle, was named for her, as is shown by the family Bible, and by her tombstone. This Joanna Goode was the granddaughter of John Goode, the immigrant, who came to Virginia, via the Barbadoes in 1650. She met Valentine Sevier and married him, not in Maryland, but either in Culpepper or Augusta Co., Va. This is authentic. I know whereof I write.

"3. Sarah Hawkins, the first wife of Governor Sevier, about whom you say that you have not been able to secure any information, was the daughter of Joseph Hawkins, of Frederick Co., Va. I have a copy of his will in my possession. He was the son of Samuel Hawkins, who came to Gloucester Co., Va., in 1680. Benjamin Hawkins, United States Senator from North Carolina, for whom our Hawkins County was named, and who was very

prominent in our early history, and William Hawkins, Governor of North Carolina in 1812-15, were members of the same family. Colonel Richard Campbell, who was killed at the battle of Eutaw Springs in the Revolutionary War, married another of Joseph Hawkins' daughters, as did Dr. Graham of Winchester, Virginia, who became the father of Dr. Christopher Columbus Graham, of Kentucky, who, together with Felix Grundy, was present at the marriage of Abraham Lincoln's parents, and whose daughter became the wife of Senator J. C. S. Blackburn, of Kentucky. Indeed the Hawkins family has held high positions in many States.

"4. Joseph Sevier, the oldest son of John Sevier and Sarah Hawkins, married, first Charity Keywood or Cawood of Sullivan County, and, secondly Catherine Lowry, a half-breed Cherokee, had one son by the first wife, Jno. Finly Sevier, and two daughters by the second, one of whom, Margaret, married Col. Gideon Morgan.

"5. My grandfather, Major John Sevier of Nolachucky, the third son and namesake of Governor Sevier, was thrice married. His first wife was Elizabeth Conway, daughter of Colonel Henry Conway, who came into the Nolachucky settlement from Virginia at the close of the Revolutionary War, and another one of whose daughters became the wife of James Sevier, and still a third the wife of John Sevier, son of Col. Valentine Sevier II, and became the mother of Senator Sevier of Alabama.

"My grandfather's second wife was Miss Sarah Richards of Philadelphia, whither he removed to practice law and engage in merchandizing, about 1800. His third wife, whom he also married in Philadelphia, was not Sophia Garret but Sophia Garontte, daughter of Michael Garontte of Marseilles in France. All told, my grandfather had eighteen children. My mother, Anna Maria, who married Henry Hoss, was one of the younger children of the third wife. She had eight children, Dora, wife of S. J. Kirkpatrick of Jonesboro, Sophia, wife of Rev. Geo. D. French of Morrisstown, Dr. Arch C. Hoss, of Jonesboro, Martha Ellen, wife of Judge P. H. Prince, Henry Sevier, who died very young, Elizabeth and John J.

With great respect,
E. E. HOSS."

THE AUTHOR TO BISHOP HOSS.

"September 10, 1918.

"Bishop E. E. Hoss,

"Galbraith Springs, Tenn.

"My Dear Sir:

"I write to thank you cordially for your letter of the 6th instant, expressing appreciation of my book, 'Andrew Jackson and Early Tennessee History', and containing valuable historical matter

about the Sevier family in Tennessee. I regret profoundly not being able to get in touch with you while writing the chapters on John Sevier and the Sevier family, but at that time you were reported in Nashville as very seriously ill—seeing nobody and intending, as soon as able to travel, to take a coast sea voyage as a matter of health.

"In addition to that I had information which I thought was authentic, to the effect that you had in active contemplation (if not actual commencement) a history of the Sevier family in book form. These two reasons—and especially the first—I considered prohibitive of any attempt to get information from you upon a family which historically is the greatest in the history of the State.

"I am going to use publicly parts of your letter and hope you will accept this reply as an expression of grateful appreciation of it and all that it contains. With great respect I beg to remain,

"Yours very truly,
"S. G. HEISKELL."

Sevier's second marriage was to Miss Katherine Sherrill, on August 14th, 1780, who survived him. Only seven or eight months passed between the death of the first Mrs. Sevier and the marriage to Miss Sherrill, which seeming haste was caused, doubtless, by the fact of Sevier having so many young children at home, who needed someone to take the place of their mother.

By his first wife he had ten children, as follows:

- a. *Joseph*, born in 1763, who married an Indian woman.
- b. *James Sevier*, the second son of John Sevier, was born October 25th, 1764, and married Miss Nancy Conway, of Washington County, Tennessee, on March 5th, 1789, and died January 21st, 1847. He was Clerk of the Court of Washington County forty-seven years, and he and his father lived on their respective farms on the Nollichucky River about eight miles from Jonesboro.

James and Nancy Conway Sevier had eleven children, viz:

1. *Elizabeth Conway*, born July 9, 1790.
2. *Sarah Hundley*, born July 22, 1792.
3. *Marie Antoinette*, born May 12, 1794, died 1796.
4. *Minerva Grainger*, born May 30, 1796.
5. *Pamelia Hawkins*, born March 15, 1798.
6. *Susanna Brown*, born June 25, 1800.
7. *Elbert Franklin*, born September 17, 1802.
8. *Elbridge Gerry*, born March 19, 1805.

9. Clarissa Carter, born April 9, 1807.
10. Louisa Maria, born December 16, 1811.
11. Mary Malvina, born April 4, 1814.

The marriages of these children were:

1. Elizabeth, married James S. Johnston, March, 1810.
2. Sarah Hundley, married Hugh Douglass Hale, January 16, 1810, and their children were Lemuel Johnston, Sarah Amanda, Laura Evelina and Franklin Sevier. The mother of Frank L. Meek, of Knoxville, was a Hale, and he is therefore a great-grandson of Governor Sevier.
3. Minerva Grainger, married John Nelson April 30, 1816.
4. Pamelia Hawkins, married Alexander M. Nelson, May 6th, 1817, and they had one son, Alexander M. Nelson. She died in 1822.
5. Susanna Brown, married Richard B. Purdom, November 26, 1818, and they had a son, James Alexander Purdom.
6. Elbert Franklin, married Matilda Powell, August 9, 1832.
7. Elbridge Gerry, married Mary Caroline Brown, November 13, 1827. He was Circuit Court Clerk of Roane County, Tennessee, 1833-1836. His children were Thomas Brown, Henry Clay, Rowena Jane, James, Elbert Franklin, John Elbridge, Charles Bascomb, Samuel Conway, and Mary. James Sevier lived at Kingston, Roane County, and was one of the leading lawyers at the Bar of East Tennessee. Charles Bascomb Sevier is now living at Harriman, Tennessee, and his daughter, Mary Katherine Sevier, is a teacher in the Knoxville High School.
8. Clarissa Carter Sevier married John Jones, May 7, 1822, and the grandmother of Thomas E. Jones and great-grandmother of Derrell Sevier Jones, of Knoxville.
9. Louisa Maria Sevier married James H. Jones October 16, 1827.
10. Mary Malvina Sevier married James Stuart July 2, 1829, and they had a daughter Mary, who married John Howell, of Knoxville, and who now lives in Knoxville.
c. *John Sevier Jr.*, was born June 20th, 1766, and married Sophia Garontte, and they had a daughter, Anna Maria Sevier, who married Henry Hoss, and their son, Elijah Embree Hoss, was Bishop of the Methodist Episcopal Church, South, in Tennessee.

d. *Elizabeth Sevier*, married W. H. Clark, and had one child, who was called Sarah Hawkins Clark, who married General James Rutherford Wyly, a grandson of Colonel Benjamin Cleveland, of King's Mountain fame. It would seem that Elizabeth Sevier Clark died while her daughter was very young, as that daughter was raised in the home of Governor John Sevier, and his second wife, Katherine Sherrill Sevier, and married General Wyly at the Sevier home.

- e. *Sara Sevier*, born July, 1770, married Judge Benjamin Brown.
- f. *Mary Ann*, born 1771 or 1772, and married Joshua Corlin.
- g. *Valentine*, born about 1773.
- h. *Richard*, born 1775.
- i. *Rebecca*, who married Mr. Waddell.
- j. *Nancy*, who married Walter King.

By Katherine Sherrill, his second wife, Sevier had eight children as follows:

k. *George Washington Sevier*, who was Circuit Court Clerk of Overton County, and held positions in the army: Ensign, Second Infantry, March 26th, 1804; Second Lieutenant, August 22nd, 1805; First Lieutenant, May 31, 1807; Captain Rifle, May 3rd, 1808; Lieutenant Colonel, July 6th, 1812; Colonel First Rifle, January 24th, 1814. He married Katherine Chambers and had eleven children:

1. George Washington Sevier, 2nd, who married Sarah Knox.
2. Katherine Sherrill Sevier married A. W. Putnam, who wrote a history of Middle Tennessee.
3. William C. Sevier.
4. Thomas K. Sevier.
5. Cornelia V. Sevier.
6. John Vertner Sevier.
7. Eliza Sevier.
8. Marion F. Sevier.
9. Laura J. Sevier.
10. Putnam Sevier.
11. Henry Clay Sevier.
1. *Samuel*.

m. *Ruth*, who married first Colonel Richard Sparks, and upon his death, Daniel Vertner.

RUTH SEVIER.

Ruth Sevier was born at Plum Grove, John Sevier's residence on the Nolichucky, and grew up with something more than the



Mrs. Ruth Sevier Vertner, daughter of Governor John Sevier. Photograph from an oil painting made in Philadelphia, Pa., in 1792 or 1793, by Gilbert Stuart, and now owned by Mrs. Newton W. Leonard of Baltimore, Md., a great-niece of Mrs. Vertner, and great-grand-daughter of Governor Sevier. Photograph furnished the author by Mrs. Leonard.

ordinary experiences of a girl of the frontier life of that day. She exhibited a very strong interest in Indian character, and became acquainted not only with a number of the chiefs, but some of the warriors who, from time to time, came to her father's house. At one time a number of Indians lived for some three years at Sevier's residence, and Ruth learned from them to speak the Cherokee language. Her first husband was Richard Sparks who at four years of age had been captured by Indians and raised by them, and given the name of Shawtunte, which was changed after his release for that of Richard Sparks. He was a playmate of Tecumseh and his brother, the Prophet, two of the most resolute and dangerous enemies the United States had among the Indian tribes. Shawtunte remained in the family of Tecumseh until he was about sixteen years of age, and after being released, went to Kentucky, thence to the settlements in East Tennessee on the Holston and Nollichucky Rivers. His mother recognized him by a mark that she remembered. John Sevier took him up and made use of his knowledge of the country in which he had lived, and finally obtained for him an appointment in the army. He married Ruth, who taught him to read and write. He received the appointment of Colonel in the United States Army, and was stationed at Fort Pickering on the Mississippi in 1801-2. He was afterwards stationed with his regiment at New Orleans, Baton Rouge and Fort Adams; Mrs. Sparks accompanied him to each one of these posts. He remained for some ten years in the southern military district, and, his health becoming infirm, he made application to the War Department to be allowed to return to Tennessee, which was granted and he afterwards went to Staunton, Virginia, where he died about 1815.

Mrs. Sparks entered into a second marriage with Daniel Vertner of Mississippi, near Port Gibson. She died in 1834 while visiting at Maysville, Kentucky. She never had any children.

n. *Katherine*, who married first Archibald Rhea, and, second, Mr. Campbell.

o. *Polly Preston*, who married William Overstreet, September 18th, 1806.

p. *Joanna Goode*, who married Mr. Windle.

q. *Eliza Conway*, who married Major William McClellan, of

the United States Army, on August 9th, 1810, and they had five children: John, Ann, Katherine, Mary Jane and Lida.

r. *Robert.*

COLONEL JOHN B. BROWNLOW ON REV. ELBERT F. SEVIER, SON OF JAMES SEVIER.

Colonel John B. Brownlow gives some interesting reminiscences of Elbert F. Sevier.

"I remember the Reverend Elbert F. Sevier, grandson of Governor John Sevier, who was a tall, slim man, fully six feet, and, physically, bore a strong resemblance to the portraits of Governor John Sevier; his head, according to my recollection, being very much like that of his grandfather. Originally it was his purpose to be a lawyer, but he "got religion" at a Methodist campmeeting, and became a preacher, and was considered one of the most eloquent orators of the Southern Methodist Church, so attractive as a preacher that people from other churches would go to hear him preach. He was stationed in Knoxville at the Church Street Methodist Church. This was about, according to my recollection, 1850. The church stood on the same spot where the Church Street Methodist Church now stands, but that building was torn down to put up a better one. The records of the church would show the year that he was there.

"There was a time when Alabama was in this (Holston) Conference, and in Alabama he met and married a lady who had considerable means; she was, for that time, considered rich, and it was with her money he was enabled to buy the lot and build the house which was later the residence of Judge Robert J. McKinney, of the Supreme Court of Tennessee. Judge McKinney bought it from him. It is on Main Street, and was, at that time, the finest house in Knoxville.

"His wife, whom he had married in Alabama, and his eldest daughter, Sarah, died within a few hours of each other, in 1854, of the cholera, and were buried in the same grave, in the Old Gray Cemetery, in Knoxville. I was at the funeral.

"At the time of this funeral the population of the town was estimated at about two thousand, and in two or three days after that, there were not more than five hundred people left in Knoxville. They had fled into the mountains from the cholera. They had gone in private conveyances, had emptied the livery stables, (there were two of them), and the people unable to ride, walked.

"Reverend Sevier did not stay in Knoxville long after his wife died. He went to Chattanooga, and that was his home the balance of his life. His second wife was a daughter of Rev. Jesse James of the Methodist Church, and a sister of E. A. James of Chattanooga, who was on the Democratic electoral ticket for the State at large for Tilden and Hendricks, in the Presidential election of 1876. Sevier died in Chattanooga.

JOHN SEVIER'S BROTHERS AND SISTERS.

John Sevier had four brothers, and two sisters, as follows:

Colonel Valentine Sevier,
Captain Robert Sevier,
Abraham Sevier,
Joseph Sevier,
Catherine Sevier,
Polly Sevier.

COLONEL VALENTINE SEVIER.

Colonel Valentine Sevier was born in Rockingham County, Virginia, in 1747, and was a sergeant at the battle of Point Pleasant, and commanded a company at Thicketty Fort, Cedar Springs, Musgrove's Mill and King's Mountain. He rose in the militia to the rank of Colonel. He moved to Red River, where Clarksville now stands, and his home was there attacked by the Indians. He died at Clarksville February 23d, 1800, his widow surviving him until 1844, in her one hundred and first year. He was the first Sheriff of Washington County and a Justice of the Peace of that County.

Colonel Sevier had five sons and several married daughters, who with their husbands, lived with him; three of his sons were of age sufficient to serve in the militia and bear arms, and these three, Robert, William and Valentine, on or about January 18, 1792, accompanied by John Price and two or three others, started in boats from Colonel Sevier's home near the present city of Clarksville to serve under James Robertson in defense against the Indians on the Cumberland. The distance they had to travel was about forty miles. They were fired upon by the Indians as their boats went up the river, and the three Seviers were killed, or died from their wounds. Price escaped, but the young man who was with him was scalped, and all the provisions on the boat were taken.

Colonel Sevier gave an account of the Indian assault upon his residence in November, 1794, in a letter to his brother John.

VALENTINE SEVIER TO JOHN SEVIER:

"Clarksville, December 18, 1794.

"Dear Brother: The news from this place is desperate with me. On Tuesday, the 11th of November last, about twelve o'clock, my station was attacked by about forty Indians. On so sudden a surprise they were in almost every house before they were discovered. All the men belonging to the station were out, only Mr. Snyder and

myself. Mr. Snyder, Betsy, his wife, his son John, and my son Joseph, were killed in Snyder's house. I saved Snyder so the Indians did not get his scalp, but they shot and tomahawked him in barbarous manner. They also killed Ann King and her son James, and scalped my daughter Rebecca; I hope she will recover. The Indians have killed whole families about here this fall. You may hear the cries of some persons for their friends daily.

"The engagement commenced by the Indians at my house continued about an hour, as the neighbors say. Such a scene no man ever witnessed before. Nothing but screams and roaring of guns, and no man to assist me for some time. The Indians have robbed all of the goods out of every house, and have destroyed all of my stock. You will write our ancient father this horrid news; also my son Johnny. My health is much impaired. The remains of my family are in good health. I am so distressed in my mind that I can scarcely write. Your affectionate brother until death,

"Valentine Sevier."

ROBERT SEVIER.

Captain Robert Sevier, a brother of John Sevier, married Kezia Robertson, the daughter of Major Charles Robertson of the Watauga Settlement, and he was shot while acting as Captain in his brother's regiment at King's Mountain, and died the next day after the battle, and was buried at Bright's, on the way home. His grave cannot now be identified. He left a widow and two sons, Charles Sevier and Valentine Sevier.

In 1852, Andrew Johnson, then a member of Congress from the First Congressional District of Tennessee, introduced a bill granting a pension to the descendants of Captain Robert Sevier, but it failed of passage.

Charles Sevier married Elizabeth Witt, of Green County, and had fourteen children. He moved to West Tennessee and bought a farm about four miles from Jackson, and took part in the battle of New Orleans as a Major in a West Tennessee Regiment, and was promoted by Jackson for gallantry in that battle. He has had several descendants who have been in the different American wars.

Robert Russell, grandson, was a soldier in the Mexican War and in the Confederate Army.

Charles H. Sevier, a grandson, was a surgeon in the Confederate Army.

John Bickle Sevier, a grandson, was a drummer in the 7th Tennessee, Confederate.

Lieutenant Robert Sevier, great-grandson, was in the United States Navy until within a few years ago.



Mrs. Laura Sevier Norvell, grand-daughter of Governor John Sevier. Photograph from an oil painting by William E. West, furnished the author by Mrs. Frank P. Elliott of Nashville, Tennessee, great-granddaughter of Governor Sevier. Mrs. Norvell was the youngest daughter of Col. George W. Sevier, the Governor's oldest son by Bonny Kate. Her maiden name was Laura J. Sevier.

VALENTINE SEVIER.

Valentine Sevier, the younger son of Captain Robert Sevier, was Clerk of the Court of Pleas and Quarter Sessions and of the Circuit Court of Green County for fifty-two years. He married Nancy Dinwiddie, and had twelve children.

His son, Captain Robert Sevier, entered West Point in 1824, and graduated in the class with Jefferson Davis in 1828. He served in the Black Hawk War of 1837.

Another son, Joseph Sevier, served in Company G., First Confederate Cavalry, and was killed at Peach Tree Creek, near Atlanta, July 22, 1864.

His grandson, Charles Sevier, served in the Confederate Navy. His grandson, W. Valentine Sevier, was Captain in Col. James Ashby's regiment, Confederate.

His grandson, Valentine Sevier Nelson, a graduate of the Naval Academy at Annapolis, is now in the United States Navy, where he has served for more than thirty years. He served on Dewey's flagship at the battle of Manilla Bay.

Valentine Sevier has descendants now living in Knoxville, who are the children of Judge Thomas A. R. Nelson, deceased, a member of the Supreme Court of Tennessee in 1871, by his second wife, who was Miss Mary Jones, and they are Charles Nelson, Selden Nelson, Mrs. Jack Williams, and daughter, Mrs. Mary Williams Merriweather; also, Mrs. William G. Brownlow, and Miss Ella Williams, whose descent is through Isabel Sevier, a daughter of Valentine.

SEVIER AND JACKSON FOR STATUARY HALL.

Tennessee has not yet placed her two representatives in Statuary Hall of the House of Representatives in Washington, and all Tennesseans hope that this will be accomplished without further delay. The Legislature of the State has selected John Sevier and Andrew Jackson for Statuary Hall, by a resolution passed February 19th, 1913, which was House Joint Resolution No. 35, of that Session.

The resolution was duly adopted and is as follows:

WHEREAS, the committee appointed by the last General Assembly to take under consideration "The matter of placing the statues or effigies of two illustrious sons of Tennessee in Statuary Hall in the National Capitol," and to make return of their action in the premises to this General Assembly, have acted as authorized

and instructed in Senate Joint Resolution No. 28 of the Fifty-Seventh General Assembly, and have handed in their report to the Chairman of the Ways and Means Committee of the House, which said report is in the words following, to wit:

"To the Honorable, the Fifty-Eighth General Assembly of the State of Tennessee:

"WHEREAS, by Senate Joint Resolution No. 28, adopted June 23, 1911, and approved June 27, 1911, the Senate of the State of Tennessee, the House of Representatives concurring, appointed a committee of nine to take under consideration the matter of placing effigies or statues of two illustrious sons of Tennessee in Statuary Hall in the National Capitol, and to make due and proper return of their action in the premises, together with their conclusion and recommendation to this, the Fifty-Eighth General Assembly of the State of Tennessee; now, therefore, we, the undersigned, being a majority of the committee of nine thus appointed, and all of its members now surviving, do hereby report that we have taken said matter under full and careful consideration and have, after such consideration, reached the conclusion that a just recognition of the high and honorable achievements of the citizens of the State that have ennobled its history, and that of the nation, and left their inspiring memories to succeeding ages, renders it befitting and desirable that the State should be represented in the National Statuary Hall by statues of two of its illustrious sons; and that, after careful consideration of the names of the many distinguished citizens of the State whose deeds are enrolled upon its historic annals, in the opinion of the committee, the two illustrious sons of the State, whose statues should be thus placed in Statuary Hall as the most fitting representatives of its history and its traditions and its contributions to the history of the nation, are John Sevier, chief builder of the commonwealth and its first Governor, and Andrew Jackson, the first President which it gave to the nation; and we do accordingly recommend that appropriate steps be taken, in such manner as to this General Assembly may seem proper, to the end that suitable statues of the said Sevier and Jackson shall be made as soon as conveniently may be, and installed by the State of Tennessee in the Statuary Hall of the House of Representatives of the United States with appropriate ceremonies.

"Respectfully submitted,

"JAMES B. FRAZIER, Chairman,

"EDWARD T. SANFORD,

"A. A. TAYLOR,

"W. K. McALISTER,

"T. C. GORDON,

"WILLIAM A. COLLIER,

"GEO. C. PORTER, Secretary,

"Committee."

And, whereas, said report being seen and understood by this General Assembly, the Senate concurring herein, and it appearing to the satisfaction of the House that a proper selection of the two illustrious sons of the State of Tennessee whose statues or effigies should be placed in the Statuary Hall, or Hall of Fame, in the Capitol at Washington, has been made and reported by said committee, towit: The names of John Sevier and Andrew Jackson; therefore:

Be it resolved by this General Assembly, the Senate concurring as aforesaid, That the action on the part of said committee be received, endorsed, ratified, and approved, and that the same be made and declared the act and purpose of this General Assembly; and

WHEREAS, it is not apparent what further steps should be taken at this time in this matter for want of proper information on the subject; therefore:

Be it further resolved, That a committee of three—towit: Col. George C. Porter, Robert T. Quarles and Judge Robert Ewing, members and representatives of the State Historical Society—be constituted and appointed, and that said committee is hereby authorized, instructed, and directed at a date as early as practicable, to ascertain what kind and character of material said statues or effigies should be, whether of marble or bronze, whether life or heroic size, etc., and what would be the actual or approximate cost, together with the placing of same in position in said Statuary Hall, and to make due return of their action in the premises to this General Assembly; and to this end,

Be it further resolved, That said committee be hereby authorized and empowered to make publication of this object and purpose, and to obtain such drawings, casts, and exhibits from artists, sculptors, and designers as may be of aid and benefit to said committee in procuring this information for this General Assembly.

Be it further resolved, That all further action herein be held up until the coming in of the said report.

CHAPTER 20.

John Sevier's Remains Brought Back to Tennessee—Action of the Legislature—Discovery of the Place of Burial in Alabama—Ceremonies of Re-Interment at Knoxville—Mrs. Catherine Sherrill Sevier—Her Grace.

On March 25th, 1889, the Legislature of Tennessee passed Joint Resolution Number 13, which was approved by Governor R. L. Taylor on April 1st, 1889, as follows:

BE IT RESOLVED by the General Assembly of the State of Tennessee that a joint Committee of three on the part of the Senate, and three on the part of the House, be appointed, whose duty it shall be to procure the removal of the remains of that illustrious and great man, ex-Governor John Sevier, from Alabama, and cause the same to be interred in the National Cemetery at Knoxville, Tennessee, and that five hundred dollars be appropriated for said purpose, said amount to be included in the General Appropriation Bill, and that said Committee be directed to open a private contribution or subscription list allowing any persons to subscribe such amounts as they see fit to be used by said Committee in the erection of a monument on the Capitol grounds at Nashville to his memory. And that the Governor and Speaker of the Senate and the Speaker of the House shall be members of said Committee, by virtue of their office.

Adopted March 25, 1889.

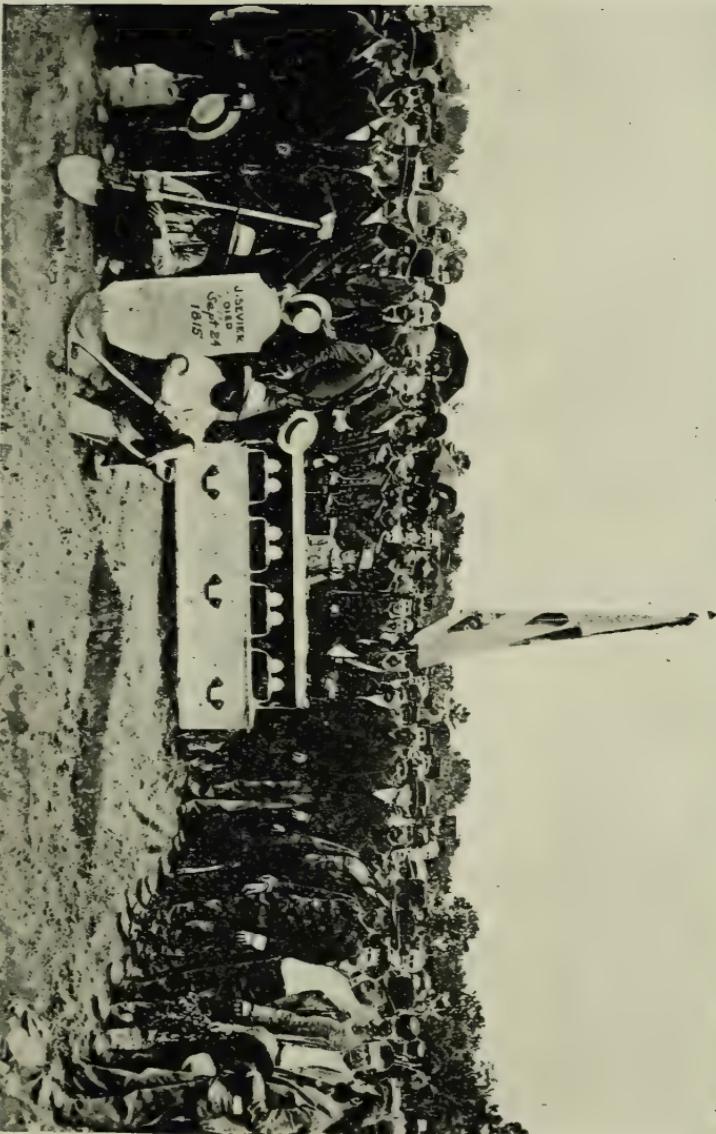
B. J. Lea,
Speaker of the Senate.

W. L. Clapp,
Speaker of the House of Representatives.

Approved April 1, 1889.

Robert L. Taylor,
Governor.

This resolution was never carried out precisely according to its provisions. Governor Sevier's remains were brought back to Tennessee, but they were interred in the courthouse yard at Knoxville, and a monument was erected, but it was over the remains there laid to rest; in all other respects the resolution was made effective.



The disinterment of the remains of Governor John Sevier in Alabama. Governor Taylor and staff of Tennessee and Governor Seay and staff of Alabama are in the picture.

The identification of the location of Governor Sevier's grave was made in December 1874, as shown by the correspondence that follows. It will be remembered that the Governor was in Alabama by appointment of President James Monroe on a mission connected with the Creek Indians, and that he died September 24th, 1815, and was buried at once the on east bank of the Tallapoosa River at an Indian village called Tuckabatchee, near Ft. Decatur in Macon County. The correspondence shows how the location of his grave was rescued from oblivion; and it also shows the long neglect of the people of Tennessee to bring back to the State which he virtually founded the remains of one of the finest characters in history. It is hardly too much to say that if there had been no John Sevier there would have been no State of Tennessee, at least not for many years after the State came into existence.

COLONEL WILLIAM GARRETT TO DR. J. G. M. RAMSEY.

"Bradford, Coosa Co., Ala.

Dec. 16, 1874.

To

"Dr. J. G. M. Ramsey,

"Presdt. Historical Society of Tenn.

"Dear Sir:

"The reading in your 'Annals of Tennessee' of the life and death and burial of Gov. John Sevier, one of the founders and the first Governor of my native State, induced me to seek for specific information as to his last resting place, that if possible and desired it might be identified.

"To this end I addressed to the Hon. Littleberry Strange, an old citizen of Macon Co. (which includes Fort Decatur, where Gov. Sevier was buried) and an ex-judge of the circuit court of this State—he was originally from North Carolina—asking for information which I had been advised he possessed.

"In reply I received from him a letter, a copy of which I enclose, which I reckon contains authentic information on the subject referred to. And I send this letter to you, that you as President of the Historical Society of Tennessee may make of it such use as you see fit: also that it may be filed among the archives of the Society.

"In this connection I will remark that Fort Decatur is some miles from Tuckabatchee Towns, on the opposite side of the Tallapoosa River, upon a high point, where the ridge juts into the river. The Montgomery R. R. to West Point passes around the point which makes the place easy of access.

"I will be most happy to co-operate in any way in any movement to identify the grave of Gov. Sevier, at this time, if it is desirable; and I shall be glad, in that event, to hear from you on the subject.

"It will be a privilege to meet citizens of my native beloved State around his grave that we may do further honor to his memory.

"With kind salutations and many wishes for your health & happiness,

"I remain yrs truly,
"William Garrett."

LITTLEBERRY STRANGE TO COLONEL WILLIAM GARRETT.

"Tuskegee, Ala. Dec 5 1874

To

"Col Wm Garrett

"Bradford, Coosa Co. Ala.:

"My dear Sir:—

"Your favor of the 27th ultimo is before me and contents noted, and to which it affords me much pleasure to reply.

"In the summer of 1834, forty years ago, soon after I had attained manhood, I was living near Fort Decatur in this county (Macon).

"There came into my humble home Captain William Walker and his nephew John Harbinson, both of whom I had known for years. Capt. Walker was at that time, a man of sixty years; Harbinson was in the prime of life, say forty years old, both were native Tennesseans.

"They stated they were going to hunt the grave of John Sevier. Sometimes they called him Governor, sometimes Gen'l Sevier.

"Mr. Harbinson stated that he was present when Sevier died and said that he assisted in burying of the remains. He stated further that before the grave was filled that he took from the fire a post oak log or stump with a charred end, and that he placed it at the head of the grave, the charred end downward. He said that he had no doubt that the exposed end had long since decayed, (which he found to be true) but that if we could find the charred end in the ground, that would identify the spot.

"We went to the place where he stated Gov. Sevier was buried; we commenced and continued digging until we struck a hard substance in the surface.

"We dug up the substance, and found it to be the charred end of a post oak log or stump, some two or two and a half feet long. Mr. Harbinson identified that as the place where lay the remains of Gov. Sevier.

"Capt. Walker took a light wood knot, some two feet long, placed it in the hole from which we had taken the charred end of the post oak log and said that there he intended to place a marble slab.

"In 1836 Capt. Walker went with Gen'l Jessup to Florida, to the Seminole War, where he died without carrying out his noble purpose of placing the marble slab at the head of the grave of John Sevier.

"Capt. Walker was a noble man; he was a patriot; he loved his country; he loved the noble dead, and for these qualities I esteem him.

"And that his noble purpose might be carried out—he and Harbinson both being dead—I—for the purpose of carrying out his intention, and for the further purpose of assuring posterity of the location of the last resting place of a noble man—I, in 1841, procured a marble slab and stone and placed them at the head and foot of the grave of Gov. John Sevier, and I have no doubt that these stones mark the true spot. I should have further stated that Harbinson stated that, on the day that Sevier died, he, as the accredited agent of the Government, was on duty; that he had been to Tuckabatchee to attend a council; that on his way to camp, Sevier was taken sick, and died at the ford of the river, some two miles from camp; that the remains were brought to camp for burial.

"This is, I believe, about all the information that I have upon the subject to which your letter refers.

"I hope all this may answer some good purpose and in some sort supply a broken link in the history of the State of Tennessee.

"I remain your friend,
"Littleberry Strange."

DR. J. G. M. RAMSEY TO COLONEL WILLIAM GARRETT.

"Knoxville, Tenn., Dec 24, 1874.

To the

"Hon. Mr. Garrett,
"Bradford, Coosa Co., Ala.:

"I take great pleasure in acknowledging receipt of your several favors of recent date.

"One of these letters the Historical Society of Tennessee values most highly, as it contains interesting sketches of so many of our pioneer citizens who have done honor to our native Tennessee; another of them, we appreciate still more, as the means of identifying the spot where, after the achievements of a life, the remains of our great Captain and worthy civilian, John Sevier, repose in the quiet of the grave.

"He needs no monument, but it is a great satisfaction to know the place which grateful and admiring countrymen from Tennessee and elsewhere may visit and recognize as our Mecca, and to which hereafter our pilgrimage may be made.

"Your communications will be published and the originals deposited at Nashville in our collection of historical data.

"It remains for me to present, officially, the thanks of the Historical Society of Tennessee for this labor of love which you have undertaken and so well executed; I shall also add that at our next meeting I shall be proud to propose your name for honorary membership.

"Should our executive Committee take further action on the subject of still other honors to the remains of the memory of the great Tennessean, we will avail ourselves of the generous offer you make of participating in the same.

"I have the honor to be, my dear Sir, most respectfully, your ob'ent servant

"J. G. M. Ramsey."

REMOVAL OF THE REMAINS OF GOVERNOR SEVIER TO TENNESSEE.

On June 15th, 1889, Governor R. L. Taylor, General Laps McCord, Gen. Frankle, Col. Jesse Sparks, Col. W. W. Eckles, Col. W. Green, Col. Granville Sevier, and Col. Joe Hardwick, members of his staff, and the Honorable W. L. Clapp, Speaker of the House of Representatives of Tennessee, left Nashville on the mission of bringing back Governor Sevier's remains to the State. In the party also was Judge James Sevier, and brother, of Kingston. When the party arrived at Montgomery, Alabama, on the morning of the 16th, they were met by Governor Seay and staff, and a regiment of Alabama State Troops. A special train left Birmingham that morning carrying the two Governors, their staffs, the State troops, relatives of Governor Sevier, a number of citizens of Tennessee, W. C. Campbell, undertaker on the part of Alabama, Samuel Newman, undertaker on the part of Tennessee, and Lloyd Branson, of Knoxville, to make photographs of the disinterment. The destination of the train was Governor Sevier's grave, which was near Fort Decatur, in the middle of a cotton field. The little plot in which the grave was located was surrounded by an iron fence, and at the west end of the enclosure there was firmly fixed in the ground a headstone about two feet wide, and two inches thick, and two feet in height, which bore this inscription:

"John Sevier. Died September 24, 1815."

In the southeast corner of the enclosure was a sloe-tree—a small bitter plum tree—which seemed to be one of the features marking the spot. In the sloe-tree was a nest of wasps which were driven out by a lighted piece of newspaper applied to the nest. Governor Taylor and Governor Seay took positions at either end of the south side of the grave, when Governor Seay addressed Governor Taylor and the others present as follows:

"Your Excellency, Tennesseans and Alabamians:

"Nearly a century and a half ago friends presiding at birth swore a human being to the cause of human liberty—a more solemn

invocation than that which called Hannibal to the destruction of Rome, and akin to that which gave Samuel to the Lord.

"For seventy long years—from 1745 to 1815—John Sevier gave his life to the republic, and here on this spot, seventy-four years ago he was laid to rest. Imagine this starved scene—the soldier's funeral. The war-whoop of the Indian had scarcely died away; by the open grave stood the few surviving soldiers, and here and there the stalwart form of a silent friendly savage; the startled hare, and the frightened squirrel wondered at the strange cortege that brought him to his last resting place. Silently and kindly nature has kept him since. Seventy-four years, and this guardianship has not been broken, for Alabama has adopted for his grave the benediction of Prentiss for that of LaFayette: 'Let no cunning sculptor or the ornamental marble deface with its mock dignity the patriotic grace; but rather let the unpruned vine, the silent flower, and the free song of the uncaged bird, and all that speaks of freedom and of peace, be gathered about it.'

"But now, very justly, not for Mr. Sevier's sake, nor for his fame, but for the sake of the Republic, and for the education and inspiration of her sons, Alabama surrenders these sacred relics to Tennessee. Take all that is left of him, convey these remains kindly and gently to his own dear mountains of Tennessee, and under their protecting shadows beside the Holston, let your monument lift its proud head that men may know that loyalty to man's best interests is never unrewarded.

"We of Alabama hold Tennessee in deepest affection. She is the frontier from which came Andrew Jackson and his band of brave Tennesseans, and before Jackson, came Sevier. These and their brave followers made possible the civilization that we to-day enjoy."

Governor Taylor responded to Governor Seay:

"Your Excellency, Alabamians and Tennesseans:

"I had not expected to speak until I had delivered the dust of this hero to his native State, and had consigned it to long rest in the bosom of the soil he loved so well; but I cannot allow the opportunity to pass for thanking Alabama on behalf of Tennessee for the most gracious and comprehensive reception that has been granted us at the hands of the Governor and so many of the representative citizens of this commonwealth.

"General Sevier came to Tennessee from Virginia when but a boy and took up his residence on the banks of the Watauga which, as its name signifies is "beautiful water." Sevier was one of the heroes of his age, and of his country, and in the dark days of the Revolution at King's Mountain, he defeated a regiment of the Army of Great Britain, and by so doing aided materially in the establishment of our independence.

"We receive this sacred dust from your Excellency and from your people, and we take it back with us to lay it away tenderly

under the soil which he loved so well. And from the mountain, under the shadow of which he made his first home in Tennessee, we will carve out a monument to the memory of him who literally millions will rise up and call blessed. Sevier was the greatest of the chieftains of Tennessee. Let him rest in peace."

When Governor Taylor had finished speaking, one of the laborers engaged for the occasion, cut down the sloe-tree, and from it two sticks were cut, one for each of the Governors, and the remainder was given over to relic hunters. The work of disinterment then proceeded. When the grave had been opened to a depth of some two and a half feet, the pick of one of the laborers struck a hollow place, and the crust through which the pick had passed began to cave in. A hollow was opened showing an arch, or sound crust of earth. When this arch was entirely removed, it showed a vault or hollow in clay, almost flinty hard, shaped like an old-styled home-made coffin, small at the head, broad at the shoulders, and tapering toward the feet. The party about the grave closed in and watched with intense interest the work of the laborers, and the formation of solid earth around where the coffin originally laid, but which now, reduced to dust, left only a hollow space. The handsome metallic case which was brought to receive the remains, was placed beside the grave, and the bones that were found in the grave placed in it, which was all that was left of John Sevier, the founder of the State of Tennessee. Some nails which held the coffin together were found, and were old-fashioned hand-made nails. The casket was placed on a wagon and with military escort and the Second Regiment Band playing the Dead March, the cor-tege took its way to the railway station, and reached Montgomery at three o'clock in the afternoon on its way back to the city of Knoxville, where the reinterment was scheduled to be made on June 19.

THE REINTERMENT.

If the City of Knoxville, in common with the whole State of Tennessee, had been guilty of profound indifference to Governor Sevier being buried in a cotton field in Alabama for seventy-four years, it determined as far as it was humanly possible, to atone for its indifference, and make a magnificent demonstration on the reinterment of his remains. Elaborate preparations were made, and it was estimated that thirty thousand people stood upon the streets of Knoxville and watched the procession which escorted the remains from the depot to the courthouse yard



GOVERNOR JOHN SEVIER'S TOMB, COURT HOUSE YARD, KNOXVILLE, TENNESSEE

NORTH FACE:

The First Governor of Tennessee
JOHN SEVIER
"Nolichucky Jack."
Sept. 23, 1744
Sept. 24, 1815
Pioneer, Soldier, Statesman and
one of the founders of the Republic.

SOUTH FACE:

Projector and Hero of
King's Mountain,
35 battles, 35 victories
His Indian War Cry:
"Here they are, come on boys, come on."

EAST FACE:

Governor of the State of Franklin
6 times Governor of the State of Tennessee
4 times elected to Congress.

WEST FACE:

The typical pioneer.
He conquered the wilderness
and fashioned the State.

where they were to be buried. The procession consisted of bands of music, various military companies, carriages with pall-bearers, the funeral car, carriages with descendants of Governor Sevier; carriages with Governor Taylor and his staff, city officials, county officials, and many civic and fraternal organizations, constituting a very imposing demonstration in honor of the dead Governor.

The courthouse yard is at the southwest corner of the intersection of Gay Street and Main Avenue and ten thousand people gathered in the yard and streets, which are all that could stand there. The splendid casket containing the remains had been wrapped in a silken banner loaned by the Reverend J. H. Frazee.

The program of exercises was simple:

Invocation by Rev. Dr. Thomas W. Humes.

Music.

Address. By Governor Robert L. Taylor.

Memorial Oration. By Hon. W. A. Henderson.

Music.

Poem. By Capt. J. R. McCallum.

Reinterment Ceremony conducted by Reverend Dr. James Park.

On the Speaker's stand was the Committee of Arrangements, Governor Taylor and his staff, Col. W. A. Henderson, who delivered the Memorial Oration, the great-grandchildren of Governor Sevier and scores of prominent citizens.

Ten thousand people uncovered their heads when the kind face of the Reverend Dr. Humes was observed as he arose and opened the exercises with prayer. A more impressive ceremony was never held before and each of the ten thousand present felt that at last justice was being done to one who made it possible for the ceremony to be held that day—one who laid the foundations of the State, and called civilization into being west of the Alleghany Mountains. After all of the program had been carried out except the religious service, Reverend Dr. James Park took charge of that service, which was solemn, dignified and moving. The casket was lowered into its windowless and final home and a huge marble slab placed over the grave, and this was decorated with flowers. Doctor Park said in part:

"By authority of the General Assembly of Tennessee, his mortal remains having been exhumed from their resting place in the State of Alabama, have to-day been brought under honorable escort to Knoxville, the first capital of Tennessee, and the site of

his residence, to find sepulcher in our midst, and so glorify our soil, and await the glories of the Resurrection Day.

"And here, with patriotic pride in his heroic days in the time of war, and profound veneration for his high service in time of peace, we commit his mortal remains to the grave, 'earth to earth, ashes to ashes, and dust to dust.'

"And may the people of this great State who owe so much to John Sevier for his unselfish service in times that tried men's souls, do him justice, and yourselves and the commonwealth honor by erecting such a monument as shall keep his name and fame and illustrious example in everlasting memory."

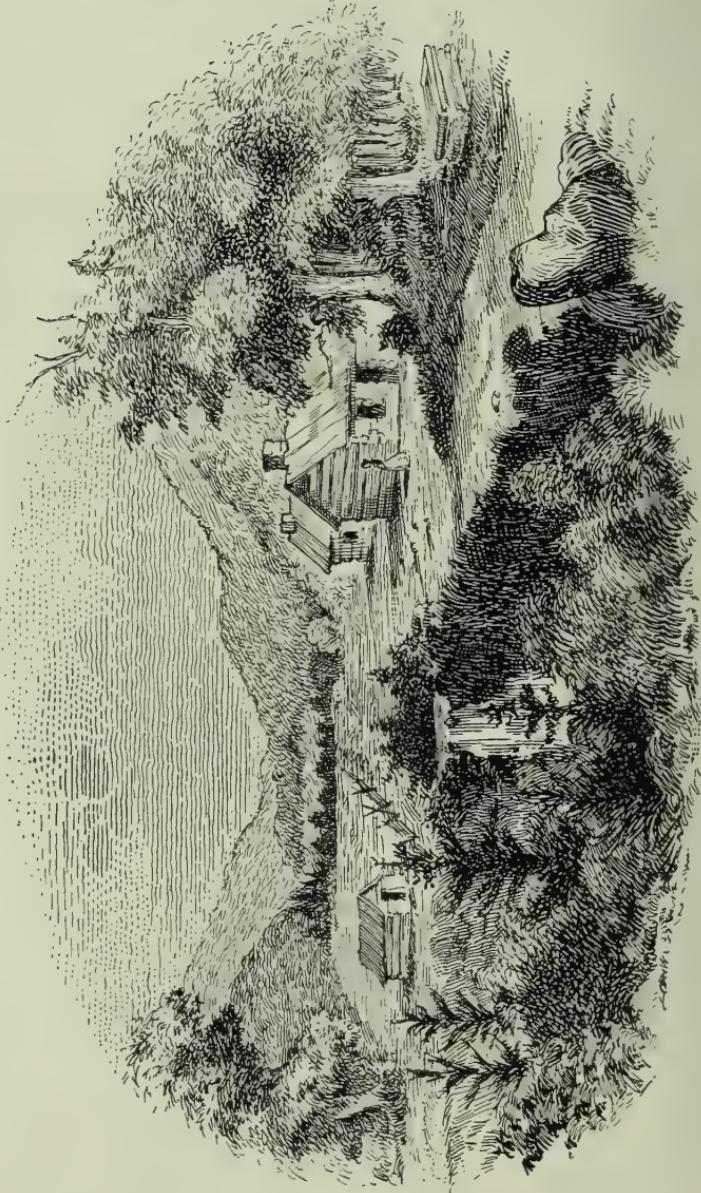
Dr. Park then offered an earnest, solemn prayer, which completed the exercises, and the reinterment of Governor John Sevier in the State of Tennessee was at an end.

The Tennessee Historical Society of Nashville made its contribution towards the reinterment by sending a life-sized oil portrait of Gov. Sevier, and also the sword given him by the State of North Carolina, both of which belong to that Society. The sword was sheathed in a much-worn scabbard, with a handle made of gold and ivory. On one side of the handle were engraved the words: "From the State of North Carolina to John Sevier;" on the other side: "King's Mountain, 7 October 1780."

The full Committee which went to Alabama to bring back the remains of Governor Sevier consisted of Governor R. L. Taylor, and Messrs. McCord, Schubert, Whitthorne, Boyd, Hardwick, Sparks, Wells, Frankle, Eckles, Sevier, Dickson, Pearcey, Crump, and Weakley, of his staff; and Honorable Andrew Patterson, Judge George L. Maloney, and Messrs. Andes, Berry, Dobson, Hearne, Stonedeck, Clapp, Lee, Gibbs, Ledgerwood, Newman, Osborne, Cooper, Lloyd Branson and S. M. Frame.

Judge James Seveir of Kingston, a grandson of Gov. Sevier, was present at the reinterment; also, Mrs. M. H. Sevier, of Memphis, a granddaughter of the Governor, and her two daughters, Miss Sallie M. Sevier and Mrs. Wiggan.

The movement to build a monument over the remains was started several days before the reinterment. On June 15, 1889, a committee which had before been appointed and organized with the Honorable George Brown as Chairman, to devise means for erecting a monument, held a called meeting with a large attendance present, and Judge Brown presiding. It was resolved that a committee be appointed to wait upon the people of Knoxville and receive subscriptions to a monument fund, and the Com-



The Date—Residence of Mrs. John Sevier in Overton County Tennessee. Taken from Mrs. E. F. Elliott's "Pioneer Women of the West"

mittee consisted of James D. Cowan, A. J. Albers, W. W. Woodruff, Honorable J. M. Thornburg, General R. N. Hood, Honorable O. P. Temple, C. E. Lucky and R. R. Swepson.

The Committee proceeded actively to work, and without difficulty procured contributions from the following contributors: F. H. McClung, W. W. Woodruff, James D. Cowan, R. S. Payne, C. J. McClung, J. M. Meek, C. M. McClung, J. C. J. Williams, George Brown, R. M. Rhea, R. C. Jackson, Perez Dickinson, R. R. Swepson, R. N. Hood, E. E. McCroskey, William Rule, J. W. Caldwell, C. E. Luckey, Alex Summers, J. R. McCallum, S. T. Logan, O. P. Temple, M. L. Ross, Cullen and Newman, M. J. Condon, Cone, Shields and Company, John S. Van Gilder, D. D. Anderson, Joseph T. McTeer, D. A. Carpenter, W. H. Simmonds, M. P. Jarnagin, Chapman-White-Lyons Company, Betterton and Company, J. C. Luttrell, F. K. Huger, Leon Jourolmon, John J. Craig, Frank A. Moses, H. H. Taylor, J. W. Gaut, Charles Weller, Jerome Templeton, D. M. Rose, William L. Rhea, James O'Conner, W. L. Trent, W. A. Galbraith, John L. Hudiburg, James Comfort, S. R. Ogden, J. F. Bowman, E. T. Wiley, J. E. Lutz and Company, T. H. Heald, Martin J. Condon, J. W. Scott, Brandau, Kennedy and McTeer, John B. Minnis, J. W. Yoe, J. C. Ford, C. H. Jennings and John McNutt.

The last subscriber, John McNutt, was over eighty years of age, and his business was that of selling apples on the streets of Knoxville. He remembered seeing Gov. Sevier. A large additional sum was raised before the erection of the monument.

MRS. KATHERINE SHERRIL SEVIER.

Accompanying the Committee which went to Alabama to bring back Governor Sevier's remains was a reporter of a Knoxville daily paper, who concluded not only to report the disinterment, but, if possible, to find the grave of Mrs. Katherine Sherril Sevier, and his letter is reproduced as it appeared in his paper, the *Knoxville Journal*:

(Special to the Journal.)

"Birmingham, Ala., June 19, 1889.—Your correspondent heard a rumor to the effect that the wife of Governor John Sevier was buried in or near Russellville, Alabama, and today finds him in that village for the purpose of confirming that rumor. His purpose has been fulfilled, and the rumor has proven true. In an almost desolate locality, in the northern part of the town of Russellville, is what your reporter might call the ruins of a burial ground. Desertion

and neglect are apparent in every portion of it. The rock walls which surround the family enclosure are crumbling and decaying. Dead leaves of nearly a century's falling, have made it impossible to describe the shape of the grave in this dismal, neglected graveyard, and the towering oaks render the place dismal by day and murky by night. So strange a feeling creeps over one here at the sight of this clammy spot that he is more anxious to go away than he was to visit it. Your correspondent had the company of a grandson of the great ex-Governor as well as his society, and his otherwise backwardness assumed the form of resignation to the end of an unnatural superstition on visiting such a murky locality.

"Dr. Daniel Vertner Sevier accompanied your correspondent to the spot where his grandmother was buried nearly fifty years ago. The grave is laid near an ordinary country road, which runs through a desolate cemetery, which is not fenced in and young oak rises from the midst of the dead leaves which have fallen nearly a century, and a simple headstone, about ten feet distant, marks the spot where the better-half of the great Revolutionary patriot sleeps. It has this inscription: 'Katherine Sevier, Wife of Governor John Sevier, of Tennessee, Died October 7, 1836. Age 82 years.'

"In the interview with Dr. Daniel Vertner Seyier, a grandson of the early patriot and of the first governor, your correspondent learned that the widow of the Governor, after his death, either from preference or other motive, decided to live with her son, Dr. Sam Sevier, the father of Dr. Sevier, who in 1836 decided to move to Russellville, Ala. His decision was of course carried into effect, and June 10th, 1836, found him located in that place, having brought with him his mother, the wife of the first Governor of Tennessee. It was his intention to allow her to spend the remainder of her peaceable days in this healthy, secluded valley, but they proved to be short, for she died in October of this same year, being in the 82nd year of her age, and she was buried in the presence of her grandson.

"At the spot mentioned before, at the neglected spot, she now lies, coincident with the ceremony attending the reinterment of her husband upon the location selected by the patriotic citizens of her native State, and unless the ladies of Tennessee realize the fact that his gentle mate was perhaps the inspiration, at least partly, of many of his most gallant deeds, the cause of temperance in his warm war blood after his return from successive exploits, and of cooler judgment that befitted him for the latter duties of the statesman, her bones, already resolved, like those of her husband, into dust, will remain there forever."

But while her grave is generally unknown to the world, history has not forgotten Katherine Sherrill Sevier, and her name will live as long as that of her husband, and he will live in the minds of Tennesseans until time ceases. We are all, therefore, interested

in the wife of Governor Sevier, whose life demonstrates a grand type of woman.

Col. John B. Brownlow kindly sent the author while this book was being written, an old volume entitled "Pioneer Women of the West" by Mrs. E. F. Ellet, published in 1852. Mrs. Ellet states in her preface that the sketch of Mrs. Sevier in the book was written by A. W. Putnam of Nashville. This is the same A. W. Putnam who married a daughter of George W. Sevier, and who wrote "The History of Middle Tennessee," which is recognized as a standard authority. Mr. Putnam personally knew Mrs. Katherine Sevier, and therefore is an eye-witness with personal knowledge of what he writes. In 1849, when the Tennessee Historical Society was organized he was elected as its first vice President. We think the reader will thank us for quoting what Mr. Putnam has to say about Mrs. Sevier:

"After the death of Governor Sevier on the Tallapoosa, in 1815, where he had gone to cement peace and establish the boundary with the Creek Indians, Mrs. Sevier removed to Overton County in Middle Tennessee, where most of her children resided. She selected a most romantic and secluded spot for her own retired residence. It was upon a high bench, or spur, of one of the mountains of that county, a few miles from Obey's River, with higher mountains on either side. There were some ten or fifteen acres of tillable land and a bold, never-failing spring issuing from near the surface of the level tract, which cast its pure cold waters down the side of the mountain, hundreds of feet into the narrow valley. In the dense wood near that spring, and miles distant from any other habitation, did her sons erect her log cabins for bedroom, dining-room and kitchen, and others for stable and crib. She resided for years at 'The Dale' with the General's aged body-servant, Toby (who had accompanied him in all his Indian campaigns), his wife, Rachel, and a favorite female servant and boy. Seldom did she come down from her eyrie in the mountains. The aged eagle had lost her mate. She made her nest among the lofty oaks upon the mountain heights, where she breathed the air and drank the water untainted and undisturbed, fresh and pure, and nearest to the heavens.

"We have visited her in that chosen spot. 'The Governor's Widow' could never be looked upon as an ordinary country woman. Whoever saw her could not be satisfied with a single glance—he must look again. And if she stood erect, and her penetrating eye caught the beholder's, he judged at once there was in that mind a consciousness of worth and an acquaintance with notable events. He would wish to converse with her. She used language of much expressiveness and point. She never forgot that she was the widow

of Governor and General Sevier; that he had given forty years of his life to the service of his country, and in the most arduous and perilous exposure, contributing from his own means far more than he ever received from the public treasury; and yet he never reproached that country for injustice, neither would she murmur nor repine.

"At times she was disposed to sociable cheerfulness and humor, as one in youthful days, and then would she relate interesting anecdotes and incidents of the early settlement of the country, the manners and habits of the people, of the 'barefoot and moccasin dance' and 'spicewood tea parties'. Her woman's pride, or some other feminine feeling, induced her to preserve, with the utmost care, an imported or bought carpet, of about twelve by fifteen feet in size, which had been presented to her as the 'first Governor's wife,' and as the first article of the kind ever laid upon a 'puncheon' or split-log floor west of the Alleghany Mountains. Whenever she expected company upon her own invitation, or persons of character came to pay their respects to her, the Scotch carpet was sure to be spread out, about the size of a modern bedquilt. But as soon as company departed, the ever-present and faithful servants, Suzy and Jeff, incontinently commenced dusting and folding, and it was soon again boxed up. Three times were we permitted the honorable privilege of placing our well cleaned boots upon this dear relic from the household of the first Governor of Tennessee, and of admiring the pair of ancient and decrepit branch-candle-sticks as they stood on the board over the fire-place.

"The bucket of cool water was ever on the shelf at the batten-door, which stood wide open, swung back upon its wooden hinges; and there hung the sweet water-gourd; and from very love of everything around, we repeatedly helped ourselves. The dōors, the floors, the chairs, the dishes on the shelves—yea, everything seemed to have been scoured. There was a lovely cleanliness and order, and we believe, 'godliness with contentment.'

"She was remarkably neat in her person, tidy, and particular, and uniform in her dress, which might be called half-mourning—white cap with black trimmings. She had a hearth-rug, the accompaniment of the favorite carpet, which was usually laid before the fire-place in her own room, and there she commonly was seated, erect as a statue—no stooping of the figure, so often acquired by indolence and careless habit, or from infirm old age—but with her feet placed upon her rug, her workstand near her side, the Bible ever thereon, or in her lap, the Governor's hat upon the wall—such were the striking features of that mountain hermitage.

"There was resignation and good cheer—there was hospitality and worth in that plain cottage; and had not the prospect of better fortune, and attachment to children married and settled at a distance, induced her own sons to remove from her vicinity, she ought never to have been urged to come down from that 'lodge in

the wilderness.' But her last son having resolved to move to Alabama, she consented to go with him, and pass her few remaining days in his family.

"She departed this life on the 2d October, 1836, at Russellville, in the State of Alabama, aged about eighty-two."

The readers, especially those in Tennessee, naturally would like to learn as much as possible of what became of Governor Sevier's children, and his brothers and sisters, and a statement about them is in the Life of Jefferson D. Goodpasture, written by his two sons:

"Governor Sevier located two grants for something over 57,000 acres of land in Overton County, now Overton and Clay. On this vast domain many members of his family settled. After his death . . . his widow, the celebrated 'Bonnie Kate,' moved to The Dale, now known as the Clark place, in Clay County. It was in a romantic and secluded spot, upon a high bench, among the hills of Obeds River. Around her, but not with her, were her brothers, brothers-in-law, sisters-in-law, sons and daughters. Mrs. Matlock, a sister of Governor Sevier, was the mother-in-law of Valentine Matlock, one-time sheriff of Overton County; and George W. Sevier, a son, was circuit court clerk. Her brother, John Sherrill, lived near the mouth of Wolf River, as did her son, Dr. Sam Sevier, who afterwards removed with her to Alabama. Of the Governor's brothers, Abram lived about ten miles north of Livingston, and Joseph near the mouth of Ashburn's creek. Among his sons and daughters there were Catherine Campbell, whose second husband was Archibald Ray; Joanna Windle and Valentine Sevier, who lived on Iron's Creek; Mary Overstreet, who lived on Obeds River; George W. Sevier, who lived on Sulphur Creek, and afterwards removed to Nashville; Sarah Brown, who lived at the James McMillan place; and Ann Corlin, who lived on Ashburn's Creek."

IS HER SEPULCHRE FINAL?

Governor Sevier lay buried in the soil of Alabama from September 24, 1815, to June 19, 1889, nearly seventy-four years. Mrs. Katherine Sherrill Sevier also found a resting place in Alabama but for a period longer than her husband—from October 2d, 1836, to 1917—eighty years. She has not the same overwhelming claim upon the gratitude of Tennessee that her husband had, but her claims are great, both historical and personal. She was the wife of John Sevier, and in the Indian Wars which brought the savagery of the savage to her very cabin door, she did the part of a heroine, and showed a courage that never quailed and a devotion to neighbors and settlers on the Nolichucky and Watauga, as great, in a woman's way, as that supreme devotion

of "Chucky Jack" who gave himself and his fortune to subdue the Red Man, and make possible a white man's civilization west of the Alleghany Mountains.

In Statuary Hall in the Capitol at Washington we hope to see the day when marble effigies of Andrew Jackson and John Sevier shall constitute Tennessee's contribution to the National Hall of Fame, but what a grand and inspiring dream it is that some day we may see "Bonny Kate's" marble effigy standing in Statuary Hall beside her husband, so that generations yet to come may see the greatest couple—husband and wife—that ever took their heroic way across the pages of history!

Search the world over and all the written words that tell of nations dead and gone, call forth from the tombs of buried heroes every spirit that ever glorified humanity by glorious deeds, and none can stand upon more inspiring heights than that man and wife whom the mountains of East Tennessee gave to civilization and the world!

By the Act of Congress establishing Statuary Hall, each State is allowed in it two representatives only—whether sons or daughters. Illinois has put Frances E. Willard there. But with Jackson and Sevier there for Tennessee, why cannot we have a Statuary Hall in our Capitol at Nashville, and after bringing back the remains of "Bonny Kate" and interring them beside her husband in the courthouse yard at Knoxville, place her statue in our Statuary Hall? Or, if not that, why not erect out of marble from the mountains whence they came a splendid monument on Capitol Hill in Nashville to John and Katherine Sherrill Sevier?

It is a cloud upon the manhood and a humiliation upon the womanhood of Tennessee that John Sevier's wife sleeps her last sleep in the soil of another State.

SEVIER'S MONUMENT AT NASHVILLE.

Down to the time that the monument was erected to Governor Sevier in the courthouse yard at Knoxville after his remains were brought back to Tennessee, it was generally, indeed almost universally, thought that no monument had ever been erected to the Governor in Tennessee; but this is a mistake. In the old City Cemetery at Nashville is a granite shaft about twelve feet high erected by Colonel A. W. Putnam, one-time President of the Tennessee Historical Society. This monument was erected

about 1856 at the personal expense of Colonel Putnam, and on the eastern face is carved a wreath and crossed swords, and under these are an Indian tomahawk and a bunch of arrows. The monument bears the following inscription:

SEVIER

Defender of the early
Settlers of Tennessee,
The first and for Twelve
Years Governor
Representative in
Congress
Commissioner in many
Treaties with the
Indians. He Served His
Country Forty Years
Faithfully and Usefully
And in that service died.

An admirer of
Patriotism and Merit
Unrequited Erects This.

On the base is inscribed the names of the workmen:

SHELDON AND HAM
NASHVILLE, TENN.

CHAPTER 21.

**Evan Shelby and the Shelbys—Battle of Kanawha—
No Monument Over Gen. Shelby's Grave—His
Remains Placed for Awhile in City Prison
at Bristol, Tenn.—His Sons.**

General Evan Shelby.
Died December 4, 1794.
Aged Seventy-four years.

Here lies the body of Letitia Shelby
Died September 6, 1797, aged 52 years.

These two inscriptions recall General Evan Shelby, one of the great heroes of pioneer days in America, who is buried in East Hill Cemetery in Bristol, Tennessee, and his wife, Letitia Shelby, who is buried at Charlottesville, Virginia.

The light upon the record of General Evan Shelby is not that clear white light that we desire so much in connection with historical characters we admire; all that we know, which is not a very great deal, about General Shelby leads to the conclusion that he was one of the strongest and finest characters of the early days in Virginia and Tennessee. He was a Welshman by birth and descent, and was born in Wales in 1720, and when small was brought by his father to America and settled in Maryland near the North Mountain. Much the larger part of what we know about him comes from his great-grandson, Dr. Charles Todd, and the statements here made are based upon what Dr. Todd has said about his great-grandfather.

General Shelby possessed a strong mind and an iron constitution, and was possessed of great perseverance and high courage. He took part in the French and Indian Wars, which commenced in 1754, and was appointed Captain in the Provincial Army that was sent against Fort DuQuesne; he fought in a number of battles in Braddock's war. In 1772 he removed to the West-

ern waters, and he located at King's Meadow, in what is now Bristol, Tennessee, and there engaged in the raising of cattle.

In 1774 Lord Dunmore, of Virginia, directed an expedition against the Indians, and instructed General Andrew Lewis, who in 1756 constructed Fort Loudon in what is now Monroe County, Tennessee, to raise four regiments for the purpose, and on September 11, 1774, the regiments were in motion and reached Point Pleasant, on the Ohio River and there fought the Battle of Point Pleasant, also called the battle of Kanawha. General Shelby was Captain, and his son, Isaac Shelby, was Lieutenant of a company of fifty Tennesseans, in which James Robertson, Valentine Sevier, and John Sawyers were sergeants. They left upper East Tennessee and travelled twenty-five days through an unbroken wilderness and took part in this battle, in which Colonel Lewis was killed, and the command of the regiment devolved on General Shelby. The battle lasted all day, and resulted in a treaty by which the Indians surrendered all of their lands south of the Ohio River.

This action was the entry of the pioneers into a series of conflicts, skirmishes and battles that lasted for years, and in which they were finally victors; and therefore the names of the fifty men in Captain Evan Shelby's company should if possible be perpetuated. They are:

James Shelby, John Sawyers, John Findley, Henry Span, Daniel Mungle, Frederick Mungle, John Williams, John Camack, Andrew Torrence, George Brooks, Isaac Newland, Abram Newland, George Ruddle, Emanuel Shoatt, Abram Bogard, Peter Forney, William Tucker, John Fain, Samuel Vance, Samuel Fain, Samuel Handley, Samuel Samples, Arthur Blackburn, Robert Handley, George Armstrong, William Casey, Mack Williams, John Stewart, Conrad Nave, Richard Burk, John Riley, Elijah Robertson, Rees Price, Richard Hollaway, Jarrett Williams, Julius Robison, Charles Fielder, Benjamin Graham, Andrew Goff, Hugh O'Gullion, Patk. St. Lawrence, James Hughey, John Bradley, Basileel Maywell, and Barnett O'Gullion.

James Robertson and Valentine Sevier, Jr., come down to us credited with saving from destruction the force that had gone to Point Pleasant to repulse the Indians.

Robertson and Sevier got up early on the morning of October 10, 1774, and went out to hunt, and discovered the Indians prepared to make an attack, and they aroused their companions, and the battle was on.

Cornstalk and Logan commanded the Indians. The whites lost probably more than the Indians in this battle, their losses being placed at seventy-five men killed or mortally wounded, and one hundred and forty slightly wounded. It is probable that the loss of the Indians was not so great, but the Indians were broken by their defeat, and peace was made by treaty. All of the chiefs came to the council where the treaty of peace was being considered except Logan, and he was communicated with through a messenger. To this messenger Logan made a speech, and the messenger took it down, and it has been recited as one of the finest pieces of Indian eloquence on record. It is well worth recording again.

LOGAN'S SPEECH.

"I appeal to any white man to say if ever he entered Logan's cabin hungry, and he gave him not meat; if ever he came cold and naked, and he clothed him not?

"During the course of the last long and bloody war, Logan remained idle in his camp, an advocate for peace. Such was my love for the whites, my countrymen pointed as I passed and said: 'Logan is the friend of the white man.' I had even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring in cold blood and unprovoked, murdered all the relatives of Logan, not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it, and have killed many. I have fully glutted my vengeance. For my country, I rejoice at the promise of peace; but do not harbour the thought that mine is the joy of fear. Logan never felt fear; he will not turn on his heels to save his life. Who is there to mourn for Logan? No one!"

That battle was one of the most severely contested in all the warfare with the Indians, and the number on each side was more nearly equal than in any other battle where white men and Indians were engaged.

General Shelby was appointed in 1776 by Governor Patrick Henry of Virginia a Major in the army commanded by Colonel Christian against the Cherokees.

In 1777 he led an expedition of Tennesseans against the Chickamauga Indians on the Tennessee River, and captured and destroyed their towns and crops and killed their cattle. His son, Isaac Shelby, is credited with furnishing the army transportation and supplies for this expedition on his personal credit.

In 1779, the line between Virginia and North Carolina having been determined, and General Shelby having been included in the State of North Carolina, he was appointed by Governor Caswell of North Carolina a Brigadier General, and was the first officer of that grade west of the mountains.

NO MONUMENT MARKS HIS GRAVE.

Time came when Bristol, Tennessee, was to be enlarged and needed new streets, and a street was opened through the cemetery where General Shelby was buried. We will let an old citizen of Bristol tell what was done, in his letter to the author:

"About the year 1870, when Fifth Street, Bristol, Tennessee, was opened, it became necessary to remove the bodies in a small cemetery adjoining the First Presbyterian Church. In this cemetery were the remains of General Evan Shelby. Interested parties removed the remains of their own dead, but General Shelby's bones were taken up and placed in a common box and were locked up in the city calaboose but a few steps away for safekeeping. Just how long they remained there, I do not know. I was just a boy of thirteen years, and remember distinctly of having the skull in my hands. The bones were then reinterred in the East Hill Cemetery, which is located in the States of Virginia and Tennessee. General Shelby's remains now sleep in the soil of old Virginia, and his grave is now covered with the same iron slab that was placed on his grave when he was first buried."

A flood of unhappy reflections surge over us as we read this pitiful story. All our pride of race and of the achievements of the great dead the world over, dissolves into empty nothingness, and we are face to face with the gloomy vision of the utter littleness of man. All of the splendor of life, and the sweet prestige of place and power, find an ignoble end in a boy of thirteen years handling a resurrected skull, and that skull once a part of one who loved and fought for his fellowman. Forgotten his long and weary tramps through the unbroken wilderness; forgotten his battles that the savagery of the Red Man might be crushed, and the progress of the white man prove triumphant; forgotten his willingness to lay down his life, and his four great sons theirs along with him, that frontier women might not be outraged, nor their children burned at the stake; forgotten all his grand and fearless manhood that vied with Achilles, the Homeric Greek, in all that proved the heroic in man; and without a friend to decently

care for his bones taken from their resting place of nearly a century, and placed in a common box, and locked up in a city prison, sooner or later to be buried again!

Alexander Pope's lines cover the bitter story:

"How loved, how honored once, avails thee not;
To whom related, or by whom begot;
A heap of dust alone remains of thee;
'Tis all thou art, and all the proud shall be."

And if the mighty Wizard of Avon, the gentle Shakespeare, who rare Ben Johnson said was "not of an age, but for all time," could have passed that city prison in Bristol, in 1870, he would have doubtless recalled the scene his genius penned for the world where the grave digger threw up the skull of "Poor Yorrick;" or he might have applied to General Evan Shelby, "in death a hero and in life a friend," those other bitter lines:

"Oh, mighty Caesar! dost thou lie so low?
Are all thy conquests, glories, triumphs, spoils,
Shrunk to this little measure?"

And if these words of his he did not think sufficient to illuminate the utter pitifulness of the prison scene before him, the mighty Wizard could have called back the wisdom of his melancholy Dane, Hamlet, the Prince of Denmark, where he apostrophizes his dear friend, Horatio:

"To what base uses may we return, Horatio?
Why may not imagination trace the noble dust of Alexander
'Til we find it stopping a bung-hole?"

No monument marks General Shelby's burial place, and no more inspiring opportunity could be offered to the Daughters of the American Revolution to take in hand, as they have so successfully done in various other instances, the erection of a monument over his grave. He, himself, did grand service for pioneer America, and his sons did even more than he; he founded a family that historically, is one of the greatest American families; his descendants can point to patriotic acts all along the line of their ancestry, from the French and Indian Wars, down to the time when the ascendancy of the white man was no longer disputed, and when his aims, aspirations and ideals dominated the western world, and the red man had taken up his retreat to practical extinction.

GENERAL SHELBY'S SONS.

So far as the records show, General Shelby had four sons, namely: Col. Isaac Shelby, Gen. Evan Shelby, Jr., Capt. Moses Shelby, and James Shelby, and in order that the contribution of the Shelby family to pioneer history may be understood, it will be necessary to set out the record of each of these.

Colonel Isaac Shelby was born near the North Mountain, Maryland, where his father first located as an immigrant on coming from Wales about the year 1735—Colonel Shelby's birthday being December 11, 1750. The exact date when his father moved to King's Meadows, Bristol, Tennessee, is not clear, but we find Isaac Shelby raising and herding cattle there in 1771, and it is probable that the Shelby family moved there in that year. In 1774 Isaac Shelby received a commission from Colonel William Preston, the County Lieutenant of Fincastle, and it is upon the occasion of the receipt of the commission that the anecdote has come down to us that his father thinking Isaac, who had remained seated in the presence of the Colonel, was not showing the proper respect to Colonel Preston, said, "Get up, you dog, you, and make your obeisance to the Colonel!" Whereupon Isaac arose and extended the proper courtesy. He was Lieutenant in his father's company in the battle of Point Pleasant, October 10, 1774, and he remained upon garrison duty there until July 1775. Following this he was engaged in surveying land for Henderson and Company in Kentucky, and in 1776 he was commissioned a Captain, and in 1777 Commissary of Supplies for the frontier garrisons; he rendered service as Commissary also for the Continental Army. Showing his calibre and nerve, in the year 1779, he pledged his personal credit for the supplies for his father's troops on the expedition to crush the Chickamauga Indians, and this was the second time he pledged his personal credit to equip an army, the first being in conjunction with John Sevier in borrowing money to equip the expedition to King's Mountain.

In 1779 he was elected a member of the Virginia Legislature, and the same year appointed a Major by Governor Thomas Jefferson. In 1780, receiving the message from Col. Charles McDowell begging for aid against the enemy, Shelby raised two hundred men and engaged the enemy at Thicketty Fort, Cedar Springs, and Musgrove's Mill. These engagements led up to the

Battle of King's Mountain, and the Colonel's part in that battle is shown in the chapter devoted to King's Mountain. The Legislature of North Carolina passed a resolution extending thanks and a sword to both Colonel Shelby and John Sevier. After King's Mountain, upon the request of General Greene, Shelby and Sevier took five hundred men to join the General and they participated in a number of engagements before returning to Tennessee. About this time he was elected a member of the North Carolina Legislature, and became a member of that body. In 1782 he was again elected a member of the North Carolina Legislature, and in 1783 he left Tennessee to make his home in Kentucky, where he lived until the time of his death. In April 1782, he married Susanna, the daughter of Captain Nathaniel Hart, and he settled near Stanford, Kentucky.

He was a member of the first convention to secure the separation of Kentucky from Virginia, and in May, 1792, he was chosen as the first Governor of Kentucky, and served a four years' term. He was three times upon the Democratic electoral ticket, and supported Thomas Jefferson. When the War of 1812 broke out, he was again elected Governor.

In recognition of their services to the country at the Battle of the Thames, the Congress of the United States voted a gold medal to Major General William Henry Harrison and one to Isaac Shelby, by resolution approved April 4, 1818.

"Resolved that the thanks of Congress be and they are hereby presented to Major General William Henry Harrison and Isaac Shelby, late Governor of Kentucky, and through them to the officers and men under their command, for their gallantry and good conduct in defeating the combined British and Indian forces under Major General Proctor on the Thames in Upper Canada on the 5th of October, 1813, capturing the British Army with their baggage, camp equipage and artillery. And that the President of the United States be requested to cause two gold medals to be struck, emblematical of this triumph and presented to General Harrison, and Isaac Shelby, late Governor of Kentucky."

In 1818 President James Monroe appointed him Secretary of War, but he declined to serve, on account of his age. In 1818 he was associated with Andrew Jackson as a Commissioner in treating with the Chickasaw Indians for the cession by them of West Tennessee, and his mission was successful. He died on July 18, 1826.

General Evan Shelby, Jr., fought as a Major in the regiment of his brother, Colonel Isaac Shelby, at the Battle of King's Mountain, and received DePeyster's sword on his surrender. He served as a volunteer at the battle of the Cow Pens, and in 1781 under his brother in South Carolina. He settled on Red River where Clarksville is now located, and on January 18, 1793, he was killed by the Indians while in a boat on the river. Phelan records that Evan Shelby, Jr., was made Brigadier General of the North Carolina Militia, and the problem of settling the trouble incident to the rise of the State of Franklin was devolved upon him as a representative of North Carolina. He entered upon negotiations with Governor John Sevier, and on March 20, 1787, he and the Governor agreed upon articles of compromise which in effect recognized both the State of Franklin and the State of North Carolina, in the territory west of the mountains.

Captain Moses Shelby served as Captain in Colonel Isaac Shelby's regiment at King's Mountain, and was twice wounded in that battle, and he served at the siege of Savannah, Ga., in 1779, and at the battle of the Cow Pens, and at the capture of Augusta in 1781. He settled in Missouri where he died on September 17, 1828, at the age of seventy-two.

James Shelby was a captain in the command of General George Rogers Clarke, and was killed by the Indians.

General Evan Shelby Sr.'s wife, Mrs. Letitia Shelby, died seventeen years before her husband, and there is no positive information whether General Shelby married again, but the tradition is that he did, after his children were all grown, and moved away to various States.

It is rare in American history to find a man giving not only his own services, but those of four sons to the military service of his country, but that is what General Shelby did. At the Battle of King's Mountain there were seven Seviers engaged on the side of the mountain men. This, the record of the Seviers, is probably unparalleled in the history of the country.

THE FRIENDSHIP OF THE SEVIERS AND SHELBYS.

One of the things in our early history that we love to linger over is the long, unbroken friendship between the Sevier and Shelby families. Those early days constitute the heroic era in Tennessee, Virginia, Kentucky and North Carolina, and the task before the leaders called forth marvelous courage, patience, pa-

triotism and devotion—every great and lofty quality human nature can exhibit under circumstances of danger, terror, blood and slaughter. Twin jewels in Tennessee's history are the two families named, and never, in all the records of men, have any families shown more resplendently every quality that both exalts and adorns human nature.

While General Evan Shelby, Sr., was twenty-five years older than John Sevier, they were personal friends in Virginia, before either of them moved to Tennessee, and both were Captains in the Virginia line. It was upon Shelby's invitation that Sevier came to King's Meadows at Bristol, Shelby's home, and this visit led to Sevier's becoming a citizen of Tennessee. In 1772, General Shelby, Isaac Shelby and John Sevier went on horseback to the Watauga, to the home of James Robertson, which was the first time either of the three had met Robertson, and they were entertained at his home. At this time General Shelby was past fifty years of age, Isaac was twenty-one and John Sevier twenty-six.

When Samuel Phillips bore Major Patrick Ferguson's war-like message to Isaac Shelby, it was John Sevier that Shelby rode forty or fifty miles to see and consult and to devise ways and means to destroy Ferguson's forces.

When the time came to fight the Battle of King's Mountain, and money had to be supplied to equip the expedition of the mountain men, it was John Sevier and Isaac Shelby who jointly made themselves responsible to John Adair, Entry-taker of Sullivan County, North Carolina, for \$12,735, which Adair had in his possession, and which belonged to North Carolina, and which he loaned to Shelby and Sevier for the purpose of equipping the expedition.

When Evan Shelby, Jr., had been appointed Brigadier-General of the North Carolina militia, and there had been put in his hands the delicate negotiations of making peace between North Carolina and the young State of Franklin, of which John Sevier was Governor, he and the Governor met at the house of Samuel Smith on March 20, 1787, and, old and faithful friends that they were, it did not take them long to agree upon a compromise that brought peace to the disturbed border.

A critical search of the lives of the Seviers and the Shelbys in every available source of information fails to discover the slightest trace of antagonism, jealousy, or rivalry, or, anything but

loyal friendship through years of warfare and danger that were capable of testing the iron in the make-up of the best men; and hence it is that in the Pantheon of Tennessee's good and great and strong, in the Hall of our Immortals, where we transmit their memory to the posterity of all coming years, we can, in the swelling pride of a great Commonwealth, proclaim to the world our exultation in the records which the Seviers and Shelbys gave to the history of the world in what was then the outpost of civilization in the valley of East Tennessee.

CHAPTER 22.

King's Mountain and Its Battle—Ferguson's Threat to the Mountain Men—Assembly at Sycamore Shoals—Col. Benjamin Cleveland—The Return Home—Storm Years After—Bitterness Between Whigs and Tories.

It was a significant inscription on the monument erected by the three Chapters of the Daughters of the American Revolution at Sycamore Shoals, commemorating the assembling of the mountain men there to cross the Unakas to fight Ferguson. It must have been a very animated and interesting scene on that September 25th, 1780. It is impossible to tell just how many persons were there. It would be very entertaining to know all that was done by the assembled soldiers and citizens. It must go without saying that the dress of both the women and the men was a pioneer dress of make and fabric. There must have been shoeing of horses, and final consultations between friends and families, and numbers of women and children and horses and dogs, and great bustle and animation over the departure. The Watauga River which this assemblage was to render historical in the annals of Tennessee flowed by. Roane Mountain was in the distance; and stretching away is the beautiful Watauga Valley. The fort is there, and John Sevier on a fine horse, such as he always rode, and "Bonnie Kate," and the Reverend Samuel Doak, in his white stockings, and, let us hope, minus that intolerable skullcap with which his appearance has been disfigured in the picture that has come down to us. Nowhere on earth is a September morning more divinely perfect than at Sycamore Shoals, in Carter County, Tennessee, and nowhere has nature more lavishly poured out her beauties.

Isaac Shelby has done his part, and has brought two hundred and forty men, John Sevier has brought two hundred and forty men, and Colonel Campbell has brought two hundred men, and before the grand start was made for the mountains, the glad spectacle was observed of Arthur Campbell coming with two hundred more from Washington County, Virginia. There were



REVEREND SAMUEL DOAK

He offered the prayer on the departure of the pioneers from Sycamore Shoals to fight the Battle of King's Mountain.

about one hundred and sixty of Colonel McDowell's men there. These mountain men were not troubled with baggage; each man's entire equipment was a blanket, a tin cup, a wallet of parched corn meal mixed with maple sugar, and now and then a man had a skillet or a bowie knife. The weapon was the Deckard rifle with its thirty-inch barrel. It was on Tuesday, the 26th of September, 1780, that the Reverend Samuel Doak made some stirring remarks, such as would be expected upon a war-like occasion like that, and which he closed with the words of the quotation on the D. A. R. monument, "The sword of the Lord and of Gideon." A few beeves were started with the march as food for the army.

But how came these men to assemble at Sycamore Shoals? To answer this question we must advert to one Patrick Ferguson, who signed his official communications, "Major 71st Regiment," and who was in the service of His Majesty George III, King of the United Kingdom of Britain and Ireland and Defender of the Faith. Major Ferguson mistakenly assumed that a threat made by him would strike terror to the hearts of the mountain men in the western country, and accordingly he sent a prisoner, one of the mountain men, Samuel Phillips by name, and a relative of Colonel Isaac Shelby, to take a message to the men of the western waters of Watauga, Nolichucky, and the Holston, and that message was about as bloody and warlike as words could make it. He instructed Phillips to say that "if they did not desist from their opposition to the British arms, he would march his army over the mountains and hang their leaders, and lay their country waste with fire and sword." But this threat wrought results that Major Ferguson was far from expecting. Instead of striking terror, it aroused the lion in the men of the mountains. Instead of humbly submitting, they determined not only to cross the mountains, but to kill Ferguson and to exterminate his army, and they did both.

Samuel Phillips, the bearer of the message, will live as long as the memory of Ferguson lives who sent it, and as long as the memory of Isaac Shelby lives who received it. Phillips lived near Isaac Shelby, and of course went direct to him to report Major Ferguson's words, and Shelby at once started on horse back on a trip of forty or fifty miles to a horse race near Jonesboro to see John Sevier, and with him to concert measures that were to be carried out. Shelby wrote in 1823:

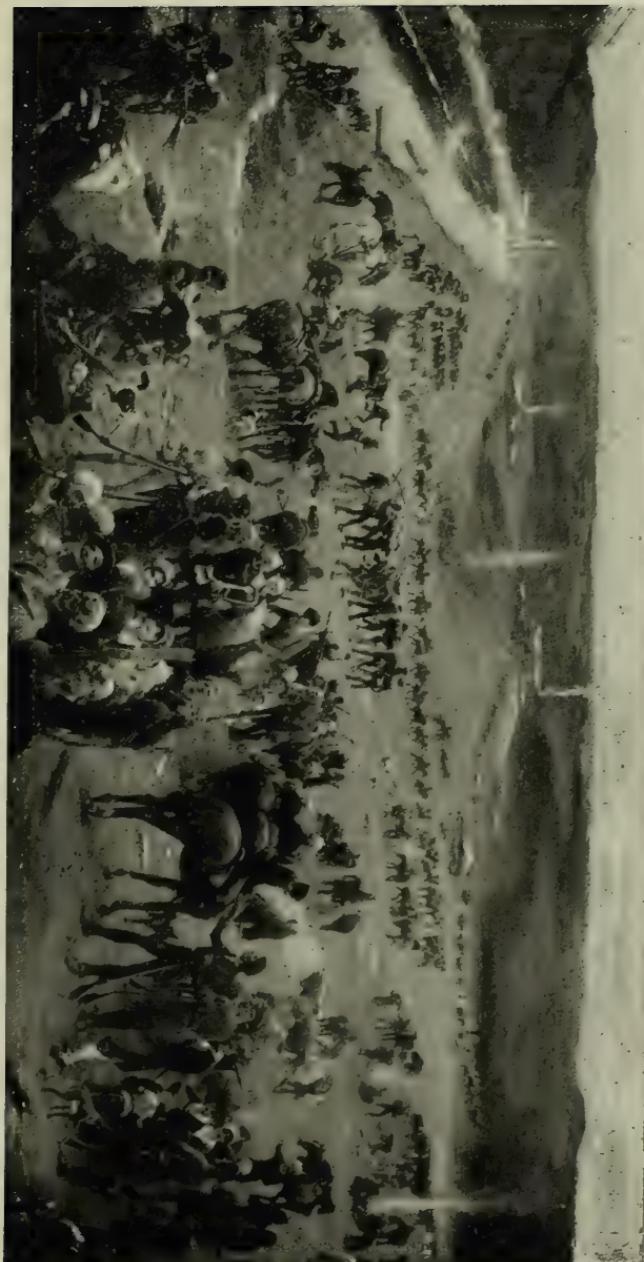
"I went fifty or sixty miles to see Colonel Sevier, who was the efficient Commander of Washington County, North Carolina, and to inform him of the message I had received, and to concert with him measures for our defense. After some consultation we determined to march with all the men we could raise, and to attempt to surprise Ferguson by attacking him in his camp, or at any rate, before he was prepared for us. We accordingly appointed a time and place of rendezvous.

"It was known to us that some two or three hundred of the militia had been under the command of Colonel McDowell, and were driven by the success of the enemy from the lower country and were then on the western waters, and mostly in the County of Washington, North Carolina. I saw some of their officers before we parted; Colonel Sevier engaged to give notice to these refugees, and to bring them into our measure. On my part I undertook to procure the aid and co-operation of Colonel William Campbell of Washington County, Virginia, and the men of that county, if practicable."

Colonel Shelby does not state, nor is it of any historical value to know, which of the two suggested that they should not wait for Ferguson to come to the western waters, but that they go across the mountains and whip him on his own ground. We do know that Shelby went to the horserace and "concerted with Sevier measures for the common defense, and that taking the aggressive, and carrying the fight to Ferguson was the result of the conference. If we were left to guess at the matter, we would probably guess that Sevier was the one who first made the suggestion to go after Ferguson. We know that Sevier introduced into America the tactics of quick, sharp, decisive assault, not waiting for the enemy to come, but going after the enemy before he arrived; in this kind of warfare he shines as one of the greatest figures in the military annals of any country. His counterpart was Napoleon's Marshal, Murat, who never waited for an enemy to come to him.

It was a bold thing for the mountain men to stake their skill, courage, and endurance against Major Ferguson's well-trained and well-equipped force, but they did not hesitate a moment, and after the force arrived in North Carolina, within striking distance of Ferguson, when the officers directed that any man who did not wish to enter the fight should step to the rear, not a man moved, not one declined to fight. On the trip across the mountains, there were two deserters, James Crawford and Samuel Chambers, from whom Ferguson obtained the information that

THE DEPARTURE FOR KING'S MOUNTAIN.
From an oil painting three feet six inches by six feet eight inches, by Lloyd Branson, Knoxville, Tennessee.



it would be unnecessary for him to go after the mountain men, that they were coming after him, and that he must fight on the defensive, and not on the aggressive.

It must be borne in mind that not a man who went to King's Mountain was paid for his service or expected any pay. North Carolina's conduct with the western people excites almost any sentiment except admiration and respect. The mountain men went simply because they did not propose to yield allegiance to George III, and Patrick Ferguson was George III's representative, and they made up their minds that Patrick Ferguson should die; but somebody had to feed the army and provide equipment, and here again, as in many other instances, the grand liberality and patriotism of John Sevier and Isaac Shelby showed itself. John Adair was Entry-taker in Sullivan County and had in his official possession \$12,735.00, which belonged to the State of North Carolina. Sevier applied to him for the money, and guaranteed that he and Isaac Shelby would be bound for its repayment. Adair's answer was worthy of the man and of the occasion. The money in his hands was practically all the money there was in that territory. He said to Sevier: "Colonel Sevier, I have no right to make any such disposition of this money; it belongs to the impoverished treasury of North Carolina, but if the country is overrun by the British, liberty is gone—let the money go too. Take it. If by its use the enemy is driven from the country, I can trust that country to justify and vindicate my conduct—take it." This money was repaid, just as any one would expect who knew Isaac Shelby and John Sevier, and the historian of Tennessee, Dr. J. G. M. Ramsey, ran across the receipt in a deserted house in Knoxville:

"Received January 31st, 1782, of Mr. John Adair, Entry-taker in the County of Sullivan, \$12,735.00, which is placed to his credit on the Treasury books.

12,735 Dollars.

"Per Robert Lanier,
"Treas. Salisbury Dist."

The history of two British officers always generates a profound interest in American readers: one General Packenham, who met his death at the hands of Andrew Jackson's soldiers at the Battle of New Orleans, and the other Major Patrick Ferguson, in His Majesty's service at King's Mountain.

Patrick Ferguson was a Scotchman, born in Aberdeenshire in 1744, entered the British Army as a cornet at the age of fifteen,

serving in the wars of Flanders and of Germany, saw active duty, and always acquitted himself as a gallant and determined soldier. He was a military man by nature and preference, and a bright intellectual man, capable of honoring the profession of arms. He served a while at Halifax, Nova Scotia, and while in America he heard a great deal of the skill of Americans in the use of the rifle. Being a man of inventive genius, he invented a breech-loading rifle with which he could shoot with more precision than with the old kind. He was a fine marksman, and ranked as one of the best, if not the very best, in the British Army, and was equally skilful in the use of the rifle or the pistol. He gave exhibitions of his skill and accuracy in shooting. He was sent to America to take part in the Revolutionary War in 1777, and joined the British Army under Sir Henry Clinton, and participated in the Battle of Brandywine.

In personal appearance he was not commanding, being of middle stature, and of slender make, but he seems to have had great personal magnetism. He was a born commander and absolutely fearless. In all the history of battles no commander ever behaved more gallantly than did Ferguson at the Battle of King's Mountain, and while succeeding generations rejoice that he was defeated, there are none, we take it, but who sincerely admire his conduct on that battlefield.

When Colonel Shelby wrote his first letter to Colonel William Campbell of Washington County, Virginia, asking him to join in the expedition that he and Sevier had agreed upon, Colonel Campbell declined. Colonel Shelby's letter was sent by his brother Captain Moses Shelby, who also brought the answer. Campbell said that he was going to the southern border of Virginia to oppose the advance of Lord Cornwallis when he moved from North Carolina into the State of Virginia.

Shelby immediately wrote a second letter to Campbell and sent this by the same messenger, Captain Moses Shelby, and at the same time, he wrote a letter to Colonel Arthur Campbell, a brother-in-law of Colonel William Campbell, informing him of what Ferguson had threatened to do, and telling of Colonel McDowell and his party being driven from North Carolina, and compelled to take refuge with the mountain men in East Tennessee. The two Campbells conferred on the gravity of the situation, and agreed that they would co-operate with Shelby and Sevier, and they sent a message to Colonel Cleveland of Wilkes

County, North Carolina, to inform him that the western men were coming.

In the fight at King's Mountain, the Seviers and the Shelleys did their full part. Seven Seviers took part in the battle. John Sevier had two sons, Joseph, the oldest who was about eighteen years old, and James, his second son, who was sixteen years of age, lacking from the 7th to the 25th of October, both privates; he also had four brothers. Captain Valentine Sevier, and Captain Robert Sevier, who was shot in battle and died on the way home, and Abraham and Joseph Sevier, both privates. Colonel Shelby had two brothers, Major Evan Shelby and Captain Moses Shelby in the battle. Captain Shelby was wounded.

The battle was fought on October 7th, 1780, in the afternoon, and just one week before that, namely, on October 1st, 1780, Major Ferguson, who evidently was becoming a little nervous about whether he could successfully repulse the mountain men, issued an address as follows:

"To the Inhabitants of North Carolina:

"Denard's Ford, Broad River,

"Tryon County, October 1, 1780.

"Gentlemen: Unless you wish to be eaten up by an inundation of barbarians, who have begun by murdering an unarmed son before the aged father, and afterwards lopped off his arms, and who by their shocking cruelties and irregularities give the best proof of their cowardice and want of discipline—I say, if you wish to be pinioned, robbed and murdered, and see your wives and daughters in four days abused by the troops of mountain men—in short, if you wish, or deserve to live, and bear the name of men, grasp your arms in a moment and run to camp.

"The Back Water men have crossed the mountain; McDowell, Hampton, Shelby and Cleveland are at their head, so that you know what you have to depend upon. If you choose to be degraded forever and ever by a set of mongrels, say so at once, and let your women turn their backs upon you, and look out for real men to protect them.

"Pat. Ferguson, Major 71st Regiment."

We cannot endorse everything that Major Ferguson sets out in his communication, but we must admit that in his capacity for using striking phrases, and appealing to the fears of men, he had very pronounced efficiency.

Another evidence that Ferguson was not certain of victory against the mountain men is that on Friday morning October 6, he sent an appeal to Lord Cornwallis at Charlotte for help:

"My dear Lord: A doubt does not remain with regard to the intelligence I sent Your Lordship. They are since joined by Clark and Sumter, and of course are become an object of some consequence. Happily their leaders are obliged to feed their forces with such hopes and so to flatter them with accounts of our weakness and fear that if necessary, I should hope for success, but, numbers compared, that must be doubtful.

"I am on my march toward you, my route leading from Cherokee Ford north of King's Mountain. Three or four hundred good soldiers, part dragoons, would finish the business. Something must be done soon. This is their last push in this quarter, etc.

"Patrick Ferguson."

When the mountain men were within a mile or two of King's Mountain, a boy by the name of John Pounder, was met, riding in great haste, and, upon suspicion of his mission, was captured and searched, and upon him was found a dispatch from Ferguson to Lord Cornwallis, indicating anxiety as to his situation, and calling for help to be sent him as soon as possible. This boy told the mountain men that Ferguson was wearing a checked shirt or duster, over his uniform.

For some reason not explained, Ferguson changed his course and instead of joining Cornwallis at Charlotte, took his position on the top of King's Mountain, to await the coming of the mountain men, and he there made some very vigorous boasts about the force and power it would take to drive him from that mountain.

An English military critic said that King's Mountain was a strong position to defend with a bayonet, and a weak position to defend with a rifle. The top of the mountain was without trees, and Ferguson's army, therefore, was visible from all sides. The slopes leading to the top were heavily timbered, and the mountain men could shoot from behind trees, and have ample protection, and this fact is the key to their success in the fight. Ferguson was accustomed to rely upon the bayonet, and his men made some brilliant bayonet charges down the sides of the mountain, but were unable to end the battle in that way. The mountain men picked his men off, one by one, until finally their strength was so depleted that they were able to make a charge up the sides and gain a footing on the top, from which they could meet the British face to face and man to man.

It is not the purpose here to give a detailed description of the battle, which has been very ably done by L. C. Draper and Theodore Roosevelt. The purpose here is to lay before the reader

those conditions leading up to the battle, and conditions at the battle, which made victory possible for the mountain men, in the face of the location of Ferguson's force, which seemed to be absolutely invulnerable.

The number of men engaged on the two sides cannot be stated with absolute accuracy. Among the mountain men it was probably from nine hundred to nine hundred and fifty, and Major Ferguson's force was something like eleven hundred. But this nine hundred to nine hundred and fifty men did not constitute all of the available forces the mountain men had. At Quaker Meadows, the home of Colonel Charles McDowell, three hundred and fifty North Carolina militia under Colonel Benjamin Cleveland joined the mountain forces.

COL. BENJAMIN CLEVELAND.

Colonel Cleveland was a rough pioneer with kindly instincts, if let alone, but in the acrid warfare between Whig and Tory in North Carolina, he being an uncompromising Whig leader, led a perilous life, and if written in full his life would make very interesting reading. Like Ajax, the son of Telamon, he did not know what fear was. He was more than six feet in height, and at the Battle of King's Mountain he weighed two hundred and fifty pounds, and had immense physical strength. He was a dead shot with a rifle, rode a horse well, and while he had little education, he was a man of naturally strong mind. His hatred of Royalists and Tories was unrestrained, and amounted to a consuming passion. He and his Whig friends, during the short period of the domination of Royalists and Tories in North Carolina, suffered much, and the iron entered their souls deep; and when it came time for him and the Whigs to wreak vengeance, there was no limit to his ferocity. Like all family quarrels and civil wars, the strife between Whig and Tory in North Carolina was the very bitterest. Murders, house-burnings, destruction of stock, cropping of ears, and every species of cruelty and recrimination were indulged in. There were fine streaks in Colonel Cleveland, rough and extreme as he frequently was. History has generally given the verdict that he did not give his enemies very much worse than they tried to give him. For a number of years before he died he became so large and unwieldy that he could not mount a horse, and he died while eating his breakfast, in October, 1806, in his sixty-ninth year. His daughter married

General Thomas J. Rusk, who was a United States Senator from Texas for ten years. Colonel Cleveland is buried on his old plantation in North Carolina.

BITTERNESS BETWEEN WHIGS AND TORIES.

Ordinarily when soldiers fight in battle there is no personal ill will between the contending forces, therefore, killing a man in battle has never been considered murder in its usually accepted meaning; but at the Battle of King's Mountain, the element of personal hatred and ill will entered the contest everywhere, and men fought and killed because they personally hated and wanted to kill the opposing forces.

In "Horse Shoe Robinson" John P. Kennedy gives a vivid picture of this personal animosity at the battle:

"All hopes of escape being thus at an end, a white flag was displayed in token of submission, and the remnant of Ferguson's late proud and boastful army, now amounting to between eight and nine hundred men, surrendered to the assailants.

"It has scarcely ever happened that a battle has been fought in which the combatants met with keener individual exasperations than in this. The mortal hatred which embittered the feelings of Whig and Tory along this border here vented itself in the eagerness of conflict, and gave the impetus to every blow that was struck—rendering the fight from beginning to end relentless, vindictive and bloody. The remembrance of the thousand cruelties practiced by the Royalists during the brief Tory dominion to which my narrative has been confined, was fresh in the minds of the hardy men of the mountains who had pursued their foe with such fierce animosity to this, his last stage. Everyone had some wrong to tell, and burned with an unquenchable rage of revenge. It was therefore with a yell of triumph that they saw the symbol of submission raised aloft by the enemy, and for a space the forest rang with their loud and reiterated huzzas.

"Many brave men fell on either side. Upon the slopes of the mountain, and upon its summit the bodies of the dead and dying lay scattered among the rocks, and the feeble groans of the wounded mingled with the fierce tones of exultation from the living.

"The Whigs sustained a grievous loss in Colonel Williams, who had been struck down in the moment of victory. He was young, ardent, and brave; and his many soldierlike virtues combined with a generous, amiable temper had rendered him a cherished favorite with the army. His death served still more to increase the exacerbation of the conquerors against the conquered.

"The sun was yet one hour high when the battle was done. The Whigs were formed in two lines on the ridge of the Mountain, and the prisoners, more numerous than their captors, having laid down their arms were drawn up in detached columns on the intervening ground. There were many sullen and angry glances exchanged during this period of suspense between victors and vanquished; it was with a fearful rankling of inward wrath that many of the Whigs detected in the columns of the prisoners some of their bitterest persecutors."

On October 6th it was concluded that there should be selected picked men who were well mounted, and who had the best rifles, and nine hundred and ten were chosen, and, shortly after nine o'clock at night started on an all night ride to get Ferguson, and some footmen followed the horsemen, and reached King's Mountain in time to take part in the battle, making probably nine hundred and fifty men altogether in the battle. There was not a bayonet in the ranks of the mountain men. The battle began at about three o'clock in the afternoon, and the period of its duration is variously given from fifty to sixty-five minutes. Ferguson had two horses killed under him, and his last move before he dropped from his horse was directly toward a portion of Colonel John Sevier's men, and he thus became a clear mark for their guns, and several fired, when he fell from his horse with six or seven bullets in him. Gilleland was one of Sevier's men, and had been shot when he saw Ferguson advancing, and tried to kill him, but his gun snapped, and he called out to Robert Young of the same regiment, "There's Ferguson—shoot him!" "I'll try and see what Sweet-Lips can do," replied Young as he drew his rifle, taking sharp aim and fired. A number of Sevier's men claimed the honor of having killed Ferguson, and it is very likely that they all told the truth, from the number of bullets that entered him. It seems to be absolutely certain that he was killed while he was in the region of Sevier's men.

In the official report it was given that in the battle 28 Americans were killed, 60 wounded. Ramsey places Ferguson's losses at 225 killed, 180 wounded, 700 taken prisoner, and 1,500 stands of arms, and horses and wagons loaded with supplies.

THE DRESS OF THE MOUNTAIN MEN.

The modern military leader, accustomed to the equipment of our day, would look with unfeigned interest upon a regiment of men clad in the attire of the mountain men that fought and

won at King's Mountain. They would look very curious with their coonskin caps, or an old hat with a bucktail around it, and with a rifle, and, it may be, a tomahawk or a scalping knife. The trappings of their horses—where they had trappings—might have been stained with some glaring color, like red or yellow, and the hunting shirt which was worn by both officers and men, probably had fringes about it or was tasseled, and was gathered at the waist by some kind of ornamental belt. Undeniably they were picturesque. And equally certain it is that this costume, so highly prized by our pioneer ancestors, has passed away, and is to be met with only in old pictures and engravings of that early day. Ramsey quotes from Mr. Custis an interesting picture of the hunting shirt:

"The hunting shirt, the emblem of the Revolution, is now banished from the national military, but still lingers among the hunters and pioneers of the Far West. This national costume was adopted in the outset of the Revolution and was recommended by Washington to the Army in the most eventful period of the War of Independence. It was a favorite garb with many of the officers of the line. The British beheld these sons of the mountain and the forest thus attired, with wonder and admiration. Their hardy looks, their tall, athletic forms, their marching in Indian file with the light and noiseless step peculiar to their pursuit of woodland game, but, above all, to European eyes, their singular and picturesque costume, the hunting shirt, with its fringes, wampum belts, leggins and moccasins, the tomahawk and knife; these, with the well known death-dealing aim of these matchless marksmen, created, in the European military, a degree of awe and respect for the hunting shirt which lasted with the War of the Revolution. And should not Americans feel proud of the garb, and hail it as national, in which their fathers endured such toil and privation in the mighty struggle for independence—the march across the wilderness—the triumph of Saratoga and King's Mountain? But a little while, and of a truth, the hunting shirt, the venerable emblem of the Revolution, will have disappeared from among the Americans, and will be found only in museums, like ancient armour, exposed to the gaze of the curious."

Dr. Ramsey wrote his "Annals of Tennessee" in 1852, and he tells us that the hunting shirt, while largely gone out of use, was still worn in his day. He says:

"In Tennessee, the hunting shirt is still worn by the volunteer, and occasionally forms the costume of the elite corps of a battalion or regiment. It once constituted, very commonly,

a part of the citizen's dress. It is now seldom seen in private life, though admirably adapted to the comeliness, convenience and comfort of the farmer, hunter and pedestrian. In all of the early campaigns of the West and in the war of 1812, the soldiery uniformly wore it. Many of them did so in the war with Mexico, but the volunteer's hunting shirt is evidently going out of use."

THE RETURN HOME.

After the battle was over, the mountain men feared pursuit by Lord Cornwallis, and on the next day they started on the return trip home, loaded down with the care of seven or eight hundred prisoners and all the arms and military plunder captured from Ferguson. The prisoners and the plunder were started to a place of safety in Virginia. Sevier and the Tennesseans began the march across the mountains. Campbell, Shelby and Cleveland passed through Hillsboro, North Carolina, where General Gates had his headquarters, and to him they made the official report of the battle, and signed it, and it will be observed how free the report is from apportioning the honors of the victory to any one of the Colonels in the fight:

OFFICIAL REPORT OF THE BATTLE.

"A Statement of the proceedings of the Western Army from the 25th of September, 1780, to the reduction of Major Ferguson, and the army under his command.

"On receiving intelligence that Major Ferguson had advanced as high as Gilbert Town, in Rutherford County, and threatened to cross the mountains to the Western waters, Col. William Campbell with four hundred men from Washington County, Virginia; Col. Isaac Shelby, with two hundred and forty men from Sullivan County, North Carolina, and Lieutenant-Colonel John Sevier, with two hundred and forty men from Washington County, North Carolina, assembled at Watauga on the 25th of September, where they were joined by Col. Charles McDowell, with one hundred and sixty men from the counties of Burke and Rutherford, who had fled before the enemy to the Western waters.

"We began our march on the 26th, and on the 30th we were joined by Col. Cleveland, on the Catawba River, with three hundred and fifty men from the counties of Wilkes and Surry. No one officer having properly the right to the commander-in-chief, on the first of October we despatched an express to Major General Gates, informing him of our situation, and requesting him to send a general officer to take command of the whole. In the meantime, Col. Campbell was chosen to act as commandant till such general officer should arrive.

"We reached the Cow Pens on the Broad River in South Carolina, where we were joined by Col. James Williams, on the evening of the 6th October, who informed us that the enemy lay encamped somewhere near the Cherokee Ford of Broad River, about thirty miles distant from us. By a council of the principal officers, it was then thought advisable to pursue the enemy that night with nine hundred of the best horsemen, and leave the weak horses and footmen to follow as fast as possible. We began our march with nine hundred of the best men about eight o'clock the same evening, marched all night, and came up with the enemy about three o'clock, p. m. of the 7th, who lay encamped on the top of King's Mountain, twelve miles north of the Cherokee Ford, in the confidence that they could not be forced from so advantageous a post. Previous to the attack in our march the following disposition was made:

"Col. Shelby's regiment formed a column in the center on the left; Col. Campbell's another on the right; part of Col. Cleveland's, headed by Major Winston and Col. Sevier's, formed a large column on the right wing; the other part of Col. Cleveland's regiment composed the left wing. In this order we advanced, and got within a quarter of a mile of the enemy before we were discovered. Col. Shelby's and Col. Campbell's regiment began the attack, and kept up a fire on the enemy while the right and left wings were advancing forward to surround them. The engagement lasted an hour and five minutes, the greater part of which time a heavy and incessant fire was kept up on both sides. Our men in some parts where the regulars fought, were obliged to give way a small distance two or three times, but rallied and returned with additional ardour to the attack. The troops upon the right having gained the summit of the eminence, obliged the enemy to retreat along the top of the ridge where Col. Cleveland commanded, and were there stopped by his brave men. A flag was immediately hoisted by Captain Dupoister, the commanding officer, (Major Ferguson having been killed a little before) for a surrender. Our fire immediately ceased, and the enemy laid down their arms—the greater part of them loaded—and surrendered themselves to us prisoners at discretion. It appears from their own provision returns for that day, found in their camp, that their whole force consisted of eleven hundred and twenty-five men, out of which they sustained the following loss: Of the regulars, one major, one captain, two lieutenants and fifteen privates killed, thirty-five privates wounded. Left on the ground, not able to march, two captains, four lieutenants, three ensigns, one surgeon, five sergeants; three corporals, one drummer, and fifty-nine privates taken prisoners.

"Loss of the tories, two colonels, three captains, and two hundred and one privates killed; one major and one hundred and twenty-seven privates wounded and left on the ground not able to march; one colonel, twelve captains, eleven lieutenants, two

ensigns, one quartermaster, one adjutant, two commissaries, eighteen sergeants and six hundred privates taken prisoners. Total loss of the enemy, eleven hundred and five men at King's Mountain.

"Given under our hands at camp.

"William Campbell,

"Isaac Shelby,

"Benjamin Cleveland.

"The loss on our side—

"Killed— 1 colonel,

 1 major,

 1 captain,

 2 lieutenants,

 4 ensigns,

 19 privates.

—
28 total killed.

"Wounded— 1 major,

 3 captains,

 3 lieutenants,

 53 privates.

—
60 total wounded."

An incident in the battle which all Tennesseans and admirers of the Sevier family should never forget is the conduct of young Joe Sevier, then about eighteen years old, who heard that his father, Colonel John Sevier, had been killed in battle, which report doubtless arose and was circulated because Captain Robert Sevier had been shot, and finally died. Joe kept firing on Ferguson's men when practically everybody else had stopped, and some of the soldiers told him to stop, and Joe replied with tears running down his cheeks: "The damn rascals have killed my father, and I'll keep on shooting until I kill every—of—of them." Colonel Sevier, about that time, came up, and his son discovered the mistake and ran up and threw his arms around his father's neck, and, of course, did not shoot any more.

Another incident which occurred after the battle, and which will interest North Carolinians generally, and especially those who had ancestors in the fight, was the ride of twelve miles of Margaret Ewart Adams on an unruly stallion to the battlefield of King's Mountain in search of her husband, William Adams, who fought in the American army. She was the great-great-grandmother of Miss Margaret Gist, Historian of King's Mountain Chapter, Daughters of the American Revolution, of York, South Carolina.

Mrs. Adams and William Adams were Scotch-Irish Presbyterians and Whigs to the core. The day of the battle, she being at home alone with only one colored servant, and knowing of the engagement, was, of course, very much concerned for the safety of her husband. Failing to receive any news that day of the result of the battle, her anxiety increased to such an extent that the next morning she resolved to go to King's Mountain, twelve miles distant. She had the old negro servant on the place to saddle the only riding animal left, the balance of the stock having been hid in the swamp to put them out of the way of the Tories, and this animal was a stallion which she had the courage and determination to ride, and did ride, to the battlefield; and to her great joy she there found her husband safe and unhurt. With other good women of the neighborhood she proceeded to do all that was in her power to help take care of the wounded.

This dangerous and picturesque ride of this fearless and patriotic North Carolina woman deserves a better fate than to pass into oblivion, and it is introduced here not only to attempt to memorailize her and her ride, but to add a touch of attractive color to the narrative of the events of that day which so profoundly concerned both North Carolina and Tennessee.

THE STORM YEARS AFTER.

On July 1st, 1822, Colonel George W. Sevier published in the Nashville Gazette four letters written by Colonel Isaac Shelby to Governor John Sevier which touched upon the battle of King's Mountain, and Colonel Campbell's part in that battle, and these letters, doubtless without such intention on the part of Colonel Sevier, raised a storm, and entered into the politics of the day in the State of Kentucky. The controversy that arose from the letters is interesting historically.

On January 1, 1880, Colonel Shelby wrote to Governor Sevier the first letter in reference to King's Mountain, in which he said:

"The Legislature of Virginia, shortly after the defeat of Ferguson upon King's Mountain in 1780, voted an elegant horse and sword to be presented to Colonel William Campbell as a testimony of the approbation which his country bore towards him on account of the part that he had borne in that memorable affair. The horse was delivered to him, but owing to neglect or some other cause, the sword was not presented to him before he died. I am lately informed that the friends of Colonel Campbell not long since have made application to the Legislature of

that State for the sword—that they voted the sum of 1,500 crowns for the purchase of the most elegant sword that could be procured in France, and through our Minister in Paris a most superb sword was obtained which was presented by the government of Virginia to young John Preston, a grandson of Colonel Campbell, as an honorable reward due to the memory of his ancestor.

"Now, sir, what did Campbell merit more than you and I did? It is a fact well known, and for which he apologized to me the day after the action, that he was not within less than a quarter of a mile of the enemy at the time they surrendered to you and myself. But I do not mean to detract from the honors of the dead, yet it is a fact I have told to many, both before and since his death."

On February 24th, 1810, Colonel Shelby wrote a second letter to Governor Sevier in which he said:

"At the time I wrote to you on this subject I had but just heard of the fine sword given by the State of Virginia to a descendant of the late Colonel Campbell, and for a moment I felt a degree of indignation and resentment that my country had attributed the achievement of the victory of King's Mountain to a man who had little share in the action, and it determined me to address a letter to you on the occasion. * * * It may be fairly stated that the great body of the men that crossed the mountains on that expedition were raised and embodied by your and my own united exertions."

On August 12, 1812, Colonel Shelby, being at that time a candidate for Governor of Kentucky, wrote a third letter to Governor Sevier in which he said:

"I shall be elected Governor by a majority of at least ten thousand votes. Among other falsehoods that were circulated against me, it was said that I was not in the action at King's Mountain, and by some that I was only a Lieutenant, or some inferior officer on that occasion, and this story had gained some credit among better informed people. The object of this letter is to request you to be so obliging as to state to me in a letter as early as convenient, the station in which I commanded in the expedition against Ferguson. You know that the expedition was concerted by you and myself and that it took some address to induce Campbell and his men to join us."

The publication of these letters aroused the descendants of Colonel Campbell and they made answer in the public prints of the day, and a newspaper controversy followed, and each side produced statements from survivors of the King's Mountain battle, which were duly given to the public.

In April, 1823, Colonel Shelby published a pamphlet reviewing the controversy in full, and made the additional charge as follows:

"About ten o'clock on the day after the battle I was standing alone about forty yards south of the spot where Colonel Campbell came to me after the surrender, enjoying the warmth of the sun—for I had been very wet the day before, and was exposed to the cold dew of the mountains all night—when I saw Colonel Campbell leave the line of guards that surrounded the prisoners and walk slowly toward me, with his sword under his arm, till he came near touching me; he then in a lower tone of voice than usual, and with a slight smile on his countenance made the following expression: 'Sir, I cannot account for my conduct in the latter part of the action.' "

In a letter to Colonel Shelby dated January 17, 1810, Governor Sevier said:

"It is true Colonel Campbell was not within one-quarter of a mile when the enemy surrendered to yourself and me. Without detracting from the merits of Colonel Campbell, there were other officers in the battle of King's Mountain that merited as much notice from their country as himself."

In another letter dated August 27, 1812, to Colonel Shelby Governor Sevier said:

"It is well known you were in the heat of the action. I frequently saw you animating your men to victory; at the surrender you were the first field officer I recollect to have seen. I have no doubt you must recollect Colonel Campbell was some considerable distance from that place at that time, and that you and myself spoke on that subject the same evening."

Further details of the controversy need not be given, and the reader who is curious enough to pursue it further can do so in the different histories written of King's Mountain. That a controversy of this kind would raise a very active and even virulent quarrel goes without saying, and so this one turned out to be.

CHAPTER 23.

King's Mountain Years Afterwards—George Bancroft's Speech—The Monuments.

The Battle of King's Mountain was fought on Saturday, October 7, 1780, and the Americans on Sunday began their march homeward; there was little time, therefore, for the burial of the dead and caring for the wounded. There were two very urgent reasons why they started so soon on their journey: the first was, that for two days and nights they had had very little to eat, neither horses nor men, and the second, the news that Colonel Tarleton was on his way, and they were not ready for a second battle. For the disposal of the many dead, pits were dug and the slain placed in them, with blankets thrown over them, and covered with earth, the work of burial for both American and British being very hurriedly performed: and besides that, some of the bodies were not found and therefore not buried at all; as a result, the smell of flesh and blood soon attracted wolves to King's Mountain where they had access to the unburied bodies and scratched up those that were deposited in the shallow graves; vultures began to scent the bodies, and they came and took part with the wolves, and history records that long after that men hunting wolves went to King's Mountain. Knowing these conditions it is not surprising that everybody except the wolf hunter avoided King's Mountain, and that it grew to be a heavily wooded, avoided, deserted spot. The fact that human bones were there that had never had a burial, and others that had been scratched up by the wolves, was a barrier against its becoming a place to visit.

Major Ferguson was also buried on the mountain, and his remains lie there to-day, and in reference to his burial, Draper, who generally is the most thorough and accurate of all the historians of King's Mountain, gives a tradition of long standing:

"It was probably where he was conveyed, and breathed his last, that he was buried—on the southeastern declivity of the

mountain, where his mortal remains, wrapped, not in a military cloak, or hero's coffin, but in a raw beef hide, found a peaceful sepulture.

"The tradition in that region has been rife for more than fifty years, that Ferguson had two mistresses with him, perhaps nominal cooks—both fine looking young women. One of them, known as Virginia Sal, a red haired lady, it is related, was the first to fall in the battle, and was buried in the same grave with Ferguson, as some assert; or, as others have it, beside the British and Tory slain; while the other, Virginia Paul, survived the action; and after it was over, was seen to ride around the Camp as unconcerned as though nothing of unusual moment had happened. She was conveyed with the prisoners at least as far as the Burke Court House, now Morganton, North Carolina, and subsequently sent to Lord Cornwallis' army."

And so the situation remained for almost thirty-five years, until 1815, when Dr. William McLean, of Lincoln County, North Carolina, caused a day to be set apart and the human bones on the Mountain to be reinterred, and at his own expense caused a monument of dark slate rock to be erected which bore inscriptions which are now hardly legible as follows:

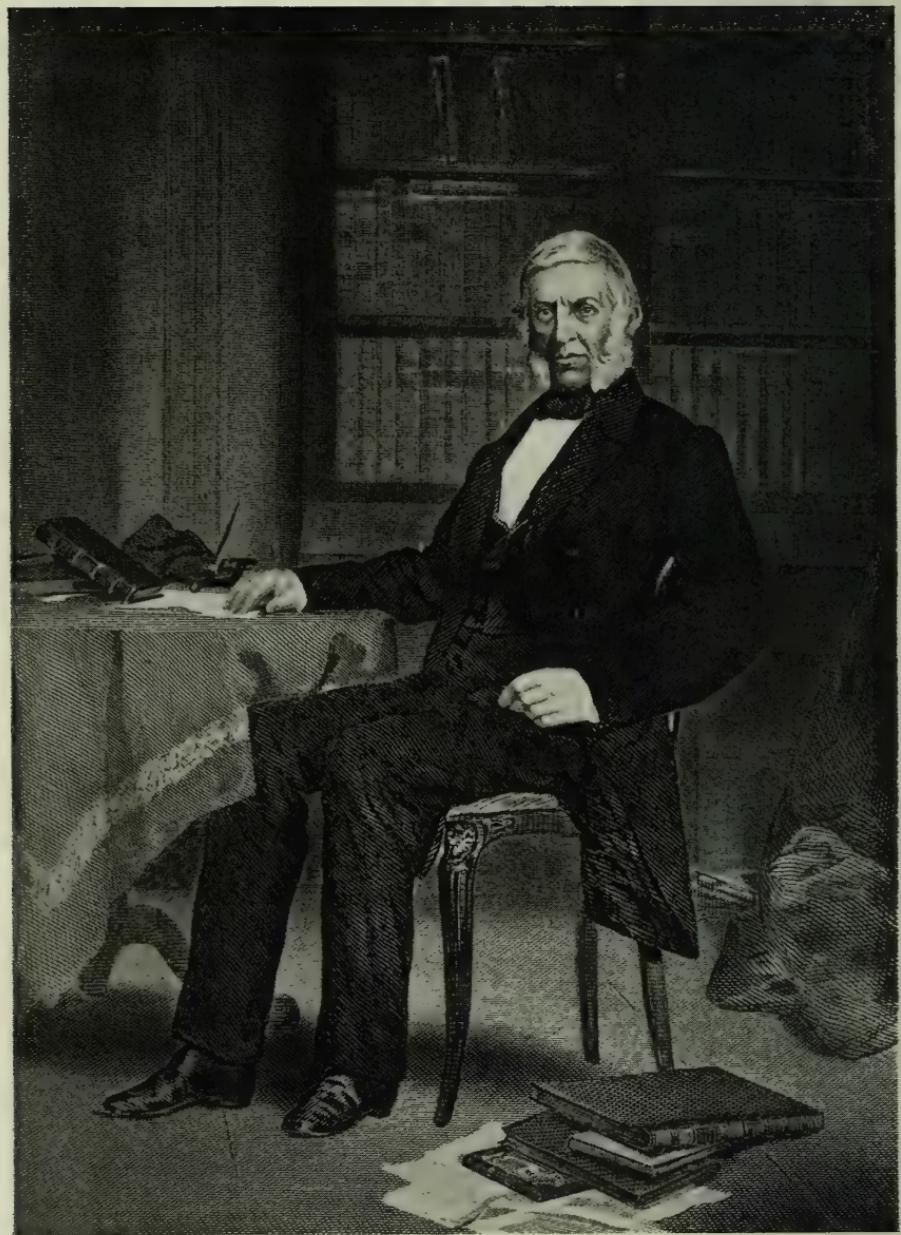
On the east side: "Sacred to the memory of Major William Chronicle, Captain John Mattocks, William Robb, and John Boyd, who were killed at this place on the 7th of October, 1780, fighting in defense of America."

On the west side: "Colonel Ferguson, an officer of his Britannic Majesty, was defeated and killed at this place on the 7th of October, 1780."

Dr. McLean made an address upon this occasion.

In 1855, which was seventy-five years after the battle, a celebration was had commemorating the effect of the victory there and its being universally considered the turning point of the American Revolution; addresses were made by the Honorable George Bancroft, the American historian, and General John H. Preston.

We present Mr. Bancroft's address and regret being unable to give that of General Preston also. We are indebted for Mr. Bancroft's address to Mr. Adolph S. Ochs, publisher of the New York Times, and to Miss Kate L. Stone, his secretary, who had the files of "The Times" examined and found the address in the issue of October 12, 1855. The Times report of the celebration and what Mr. Bancroft said upon this anniversary of the Battle of King's Mountain follows:



FROM NATIONAL PORTRAIT GALLERY, NEW YORK, 1861.

HONORABLE GEORGE BANCROFT
Historian and Secretary of the Navy under Polk's Administration.

GEORGE BANCROFT'S ADDRESS.

"The anniversary of this event was celebrated with great eclat at Kings' Mountain, S. C. There was a general gathering from the Carolinas, East Tennessee, and Western Virginia. The battle, as every one knows, was fought in October, 1780, and resulted in the victory of a small band of American militia over the British regulars of Cornwallis. The President of the day was Col. J. D. Witherspoon, and the orator William C. Preston. The procession numbered about three thousand, and the military alone about five hundred. After the review of the military, during which the cannon were brought pretty frequently in operation, prayer was offered by Rev. J. M. H. Adams, of Yorkville. Hon. J. D. Witherspoon then introduced the orator of the day, who was received with a perfect storm of applause."

"Mr. Preston gave a vivid description of the battle, after which Hon. George Bancroft, in answer to the following sentiment—'Hon. George Bancroft, the patriot, the statesman, the truthful and impartial annalist; his presence among us inseparably links his time with the memories of King's Mountain. We bid him welcome'—said: The President of the day assigns me a few minutes to express to you my sincere delight in being a witness of this great panorama of Southern life and beauty and patriotism, and joining with this countless multitude, assembled in the mountain forest under the shadow of the battle-ground, and animated by the spirit of the heroes whose virtues they are gathered to commemorate I come among you not to address you, but to share silently in the scene; to receive instruction from the eloquent lips of your distinguished orator; to enkindle my own love of country by the fires of your enthusiasm. No State may celebrate the great event of the American Revolution with juster pride than South Carolina. At the very beginning of the struggle in 1765, South Carolina was the first to adhere to a general union; and to her it is due that the colonies then met in Congress. When in 1774 a tyrannical government endeavored by the slow torture of starvation to crush Boston into submission, South Carolina opened her granaries of rice and ministered abundantly to its relief. While the sons of the Scotch covenanters in Mecklenburg were the first to sever the connection in Great Britain and institute government for themselves, the immediate harbinger of the great reform rose within the borders of this State; the victory gained at the Palmetto Fort by Moultrie was the bright and the morning star which went before the Declaration of American Independence. Wherever the camp fires of the emigrant shall light up the forests of the West; wherever the history of our country is honestly told; wherever the struggles of brave men in the cause of humanity are respected, high honor will be tendered to the triumph at King's Mountain and at Cowpens, and to that sad victory at Eutaw Springs, when the voice of exultation is chastened by sorrow for the brave who fell. For

the North to take an interest in your celebration is but an act of reciprocity.

"Everywhere in my long pilgrimage to be present with you on this occasion, I found evidence of the affection with which the South cherishes the memory of every noble action in behalf of liberty without regard to place. Beautiful Virginia, land of mountains and lowlands, rich in soil, abounding in healing springs, and the storehouse of all kinds of mineral wealth, builds a Lexington in the very heart of her most magnificent valley; North Carolina repeats the name in one of the loveliest regions in the world; and South Carolina designates by it the great central district of her State. There is a still stronger reason why the North should give you its sympathy on this occasion. She sent you no aid in the hour of your greatest need. It is a blessed thing to give even a cup of cold water in a right spirit; it was not then possible to do even that. All honor must be awarded in the South, since she was left to herself alone in the hour of her utmost peril. The romance of the American Revolution has its scenes for the most part in the South; and the battle of King's Mountain, of which we celebrate the seventy-fifth anniversary today, was the most romantic of all. The achievement was opportune. The American army for the South was routed and dispersed; Charleston was in the power of the enemy; the government scattered; the paper currency all but worthless; Gadsden a prisoner, doomed to the dungeon of St. Augustine; Sumter forced to retire beyond the State on the one side and Pickens on the other; Cornwallis hoping 'to extinguish the rebellion' by a system of imprisonment, confiscation and hanging; the British Minister promising himself that before winter 'the whole country south of the Delaware would be subjected.' The Genius of Liberty never bows his head in despair; but there was cause for anxiety—the faultless partisan, the lion-hearted Marion, stood alone in his impenetrable fastnesses as the sentinel of Carolina. Such was the almost hopeless distress of which the tidings penetrated the hardy dwellers on the Watauga, the Nollichucky, and the three forks of Holston. All the difficulties which stood in their way could not make them hesitate. They had distance to overcome in collecting their forces; but swift runners hurried up the valley; they had to cross the highest range of the Alleghenies, where there was not so much as a bridle path—they could drive no beeves, but must depend mainly on parched corn for their sustenance; meeting from remote districts, they had to organize themselves on the instant for action with unity. The movement commends itself still more to our admiration as a voluntary act of patriotism. It was planned by no Congress—it was ordered by no Executive. All that is best springs from the heart and the expedition to King's Mountain. They were cheered by no martial music, as your orator has truly observed; they had no gilded banners, no nodding plumes; they were South-

ern farmers in their every day dress, come to exercise, though in a most signal manner their every day courage and love of country and virtue. The dangers which they encountered were those from which the bravest might shrink. Do you think I refer to the fact that they attacked an enemy superior in numbers and still more in the munitions of war, posted on yonder height which you see is precipitously steep, and bristling with the slaty rock which crops out all along its sides and summit?"

"No, those things had for them no terror. But their departure, they knew, was the signal for British emissaries to excite hordes of worthless savages to burn their homes and murder their wives and children. Every breeze from the West might seem to bring to their ears the echo of the Indian's war-whoop, the dying groans of those they loved best. This was the fear which they had to cast under foot. Let us rejoice, then, that the success of the men engaged at King's Mountain was as they expressed it, 'Complete to a wish.' The firing was as heavy as could be conceived for the numbers engaged; the dislodging of the enemy from their advantageous situation was 'equal to driving men from stony breastworks,' the vigor of their resistance is proved by their holding out till every man among them was wounded or slain; and all of the British force which was to have formed the central point of British power in the back country, and which Ferguson had commended to Cornwallis for its courage and ability, not more than twenty, perhaps, not even one of the survivors escaped captivity. To finish the picture of this battle, the consequences of the victory must be called to mind. It struck dismay into the tories, and checked the concerted system of house-burning and domestic carnage which was filling Carolina with the deadliest horrors of civil war; it was 'the turning point' of victory which cheered on Sumpter and Col. Washington and Morgan to their successes, and enabled Greene to collect an army; it was the 'fatal' blow which utterly disconcerted the plans of Cornwallis and forced him into that change of policy which had its end at Yorktown. The men of that day fought not for Carolina nor for the South; they fought for America and for humanity, and the ultimate effects of their heroism cannot yet be measured. The States are bound together by commerce, and dovetailed by canals and rivers and railroads; but the recollections of the crowded hours of this glorious action of our fathers speak to the heart, and make us feel, more than all the rest, that we are one people. Let the battle-ground before us be left no longer as private property; let it be made the inheritance of the people, that is, of all who are heirs to the benefits that were gained on the day which we commemorate. Let a monument rise upon its peak as a memorial of the heroism of our fathers—as an evidence of the piety of their sons. The deeds that were there performed bid us ever renew our love of country. Let the passions for freedom flow forth perennially, like the fountains that gush in crystal

purity from your hill sides; let the Union stand like your own mountains, which geologists tell us are the oldest and firmest in the world."

The King's Mountain Battleground Association in 1880 caused another monument to be erected. This association was composed of prominent patriotic citizens of both North and South Carolina. The cost of the monument was twenty-eight hundred dollars, of which the Legislature of North Carolina contributed one thousand dollars, and the Legislature of South Carolina one thousand dollars, and the balance were personal contributions. This Association also acquired the title to the battlefield, which contains thirty-nine and a half acres of land. The monument was unveiled on October 7, 1880, the one hundredth anniversary of the battle. It is built of granite, with a base eighteen feet square, and a height of twenty-eight feet; the top of the shaft is two and one-half feet square, and is large enough to receive an addition, or to have erected upon it a statue. At the unveiling, a Centennial celebration was held, where thousands of people assembled, and an address was made by the Honorable John W. Daniel, at one time Governor and United States Senator of Virginia, and poems read by Paul Hamilton Hayne and Mrs. Clara Dargan McLean.

Sometime after this, Major A. H. White, of Rock Hill, South Carolina, caused a square granite pillar to be erected at his own expense, at the spot where Ferguson fell, and also provided a similar marker at the place where Ferguson was buried.

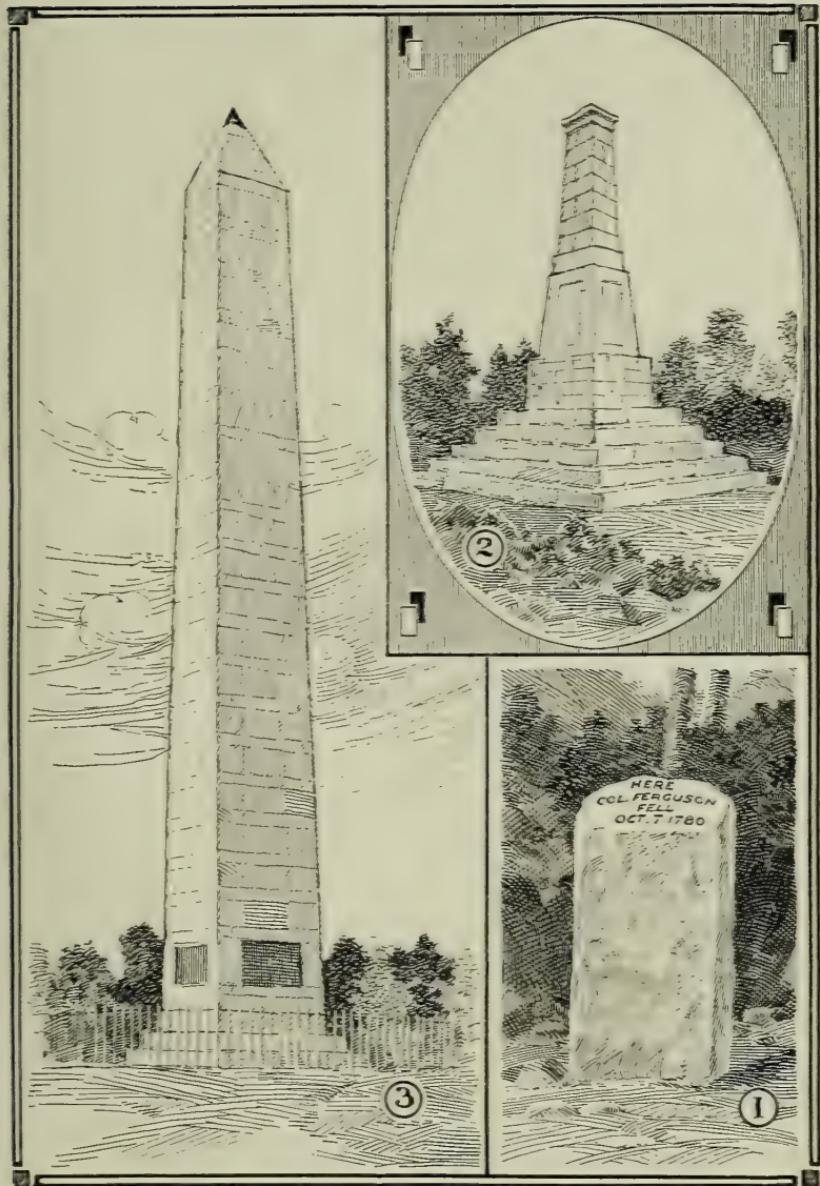
CONGRESSIONAL MONUMENT.

To King's Mountain Chapter, Daughters of the American Revolution, of York, South Carolina, is due the credit for the erection of the thirty thousand dollar monument by the United States government on the King's Mountain battlefield, which was completed and dedicated on Friday, October 8, 1909, one hundred and twenty-nine years and one day after the battle was fought. The following letter will be read with interest by the Daughters of the American Revolution throughout the United States:

MISS MARGARET A. GIST TO THE AUTHOR.

"York, S. C., July 21, 1917.

"Your letter requesting information and pictures of the King's Mountain monument erected in 1909 has been referred to



MONUMENTS ON KING'S MOUNTAIN

1. Granite pillar erected by Major A. H. White, Rock Hill, South Carolina, at his personal expense.
2. Centennial monument erected by North and South Carolina and private individuals and unveiled October 7, 1880.
3. Monument erected by United States Congress and dedicated with imposing ceremonies in 1909.

me by Mr. A. S. Sally, the Secretary of our Historical Commission. I am the historian of the King's Mountain Chapter D. A. R., and shall take pleasure in giving you the desired data. I am sending you by registered mail a postcard with some facts concerning the monument; I send also a copy of the Yorkville Enquirer of October, 1909, giving a full account of the dedication of the monument, copiously illustrated, with addresses by Dr. Snyder, Representatives Finley and Webb, et al. The idea of having the United States government erect this monument originated with the King's Mountain Chapter, and was carried out entirely through the untiring interest and efforts of Representative D. E. Finley of the Fifth Congressional District of South Carolina, and of Representative A. Y. Webb, of North Carolina. In the Enquirer Mr. Finley gives a history of the King's Mountain monument—a copy of which I send you—and there is also an address on 'Three Great Battles.' It may be of interest to state that Mr. Finley was for eighteen years a representative of his District in Congress, and had been re-elected for the tenth term in August 1916, when his death occurred January, 1917. He was my brother-in-law. I think you will find in the material sent all that you could find on the subject. The paper is a valuable historical document, and I am glad to be able to furnish you with a copy.

"Very truly yours,

"(Miss) Margaret A. Gist,

"Historian King's Mountain Chapter D. A. R.,
York, S. C."

Some time prior to 1903 one or more members of the King's Mountain Chapter, D. A. R., took up the matter with their Congressman, Honorable D. E. Finley, of procuring an appropriation from Congress to erect a monument. On October 8, 1909, Congressman Finley made public in the Yorkville, S. C., Enquirer a full statement of how the movement to erect the Congressional monument was finally brought to a successful conclusion. He said:

"The old King's Mountain Battleground Association had become disorganized, and it was necessary that the same be reorganized in order to perfect the title. The late Judge I. D. Witherspoon, one of the two or three survivors, took this matter in charge and the reorganization as carried out embraces in its membership the membership of the King's Mountain Chapter D. A. R., of Yorkville, South Carolina, the owners of the battlefield at this time. At the first session of the 58th Congress, after consultation with Representative E. Y. Webb of North Carolina, who has always been greatly interested in all that pertains to the history of this important battle, on February 8th,

we prepared and introduced identical bills in the House of Representatives. The bill introduced by me is numbered 11,958, and the one introduced by Mr. Webb is numbered 11,959. Mr. Speaker Cannon, while always friendly, could not see his way clear at that time to let the measure pass. So that nothing came of these bills in the 58th Congress.

"In December 1905, the first session of the 59th Congress, identical bills were introduced by Representative Webb and myself. At the same time, there was pending in the House, two other bills, one for the erection of a monument on the battlefield of Princeton, in the State of New Jersey, and the other, a bill to provide a suitable memorial of the landing of the Pilgrims on Cape Cod. Speaker Cannon, after being importuned by the advocates of the three bills, finally promised that he would let these three bills pass. When I was asked by a member of the committee as to whether I wished the bill introduced by me, which was identical with that introduced by Mr. Webb, to be reported, I stated that Mr. Webb and myself were jointly interested, and had worked together, and while I had the right to have the bill introduced by me reported, for the reason that the battlefield, proper, was over the line in South Carolina, yet in order to be entirely fair, I suggested that the committee report a bill in the nature of a substitute for the bill introduced by Mr. Webb, and the one introduced by me. Accordingly this was done, and Representative Thomas, of North Carolina, a member of the Committee on the Library, made the report, April 10th, 1906. The bill as reported carried thirty thousand dollars. The three bills mentioned were passed by unanimous consent at the first session of the 59th Congress. The bill for King's Mountain was called up by Mr. Webb."

The mountain range called King's Mountain is ten or twelve miles long, and at the battlefield is not over seventy-five feet high. The foundation of the monument is a cube twenty-four feet each way, and the base is thirteen and one-half feet each way, and is of granite, and upon it stands a shaft eighty-four feet four inches high. There are four panels containing the names of those who spilled their blood in the battle, and they are as follows:

East Panel: "Killed—Col. James Williams, Major William Chronicle, Capt. Wm. Edmundson, Capt. Jno. Mattocks, 1st Lieut. Wm. Blackburn, 1st. Lieut. Reege Brown, 1st. Lieut. Robt. Edmundson, Jr., 2nd. Lieuts, John Beatie, James Carry, Nathaniel Dryden, Andrew Edmundson, Humberson Lyon, Nathaniel Gist, James Phillips, Privates John Bicknell, John Boyd, John Brown, David Duff, Preston Goforth, Henry Henigar, Michael Mahoney, Arthur Patterson, Wm. Rabb, John Smart, David Sisle, Wm. Steele, Wm. Watson, Unknown."

"Mortally Wounded—Capt. Robt. Sevier, 1st. Lieut. Thos. McCullough, 2nd. Lieut. James Laird, Private Moses Henry."

"Wounded—Lieut. Col. Frederick Hambright, Major Mician Lewis, Major James Porter, Captains James Dysart, Sam'l Estey, Minor Smith, 1st. Lieuts. Robt. Edmundson, Jr., Samuel Johnson, Samuel Newell, J. M. Smith, Privates Benoni Danning, Wm. Bradley, Wm. Bullen, Jno. Childers, John Chittim, Wm. Cox, John Fagon, Fredic Fisher, Wm. Giles, —Gilleland, Wm. Gilmer, Chas. Gordon, Israel Hatter, Robt. Henry, Leonard Hyce, Jas. Kilcor, Robt. Miller, Wm. Moore, Patrick Murphey, Wm. Robertson, Jno. Skeggs, Thirty-six unknown."

North Panel: On the north side the beautiful bronze tablet bearing the following inscription: "To commemorate the victory of King's Mountain October 7th, 1780, erected by the government of the United States to the establishment of which heroism and patriotism of those who participated in this battle so largely contributed."

South Panel: On the south, the beautiful bronze tablet containing an inscription in beautiful and well chosen words commemorative of the valor and patriotism of those engaged in this great struggle: "On this field the patriot forces commanded by Col. Wm. Campbell attacked and totally defeated an equal force of Tories and British Regular Troops. The British Commander, Col. Patrick Ferguson, was killed and his entire force was captured after serving heavy loss. This brilliant victory marked the turning point of the American Revolution."

West Panel: On the west side a beautiful bronze tablet perpetuating the history of the commanders of the forces, and the localities from which their brave followers were assembled, and the commanders of each:

"American forces, where organized:

"Washington County, Virginia, Col. Wm. Campbell.

"Washington County, N. C., (now Tennessee), Col. Jno. Sevier.

"Sullivan County, N. C., Col. Isaac Shelby.

"Ninety-Six District, S. C., and Rowan County, N. C., Col. James Williams.

"Wilkes and Surrey Counties, N. C., Col. Benjamin Cleveland and Major Joseph Winston.

"Lincoln County, N. C., Lieut. Col. Frederick Hambright and Major Wm. Chronicle.

"Burke and Rutherfordton Counties, N. C., Major Joseph McDowell.

"York and Chester Counties, S. C., (then part of Camden district), Col. Edward Lacy and Col. William Hill.

"Georgia, Major Wm. Candler.

"Reserves: Col. Jas. Johnson.

"Note: Col. Chas. McDowell, the regular commander of the Burke and Rutherfordton County regiment was absent from the battle on a special mission to General Gates.

"British forces—Commanders: Major Patrick Ferguson (K), Captain Abraham De Peyster."

The monument is erected to the south of the spot where Ferguson fell.

THE DEDICATION.

The dedication of the Congressional monument on October 7, 1909, was a great event in both North and South Carolina, and ten thousand citizens from the two States showed their interest in the occasion. There are five different highways that lead to and across King's Mountain Battleground from different directions, and on the day of the dedication these highways were crowded with vehicles of every description, and hundreds on foot.

Governor W. W. Kitchen of North Carolina and Governor Martin F. Ansel of South Carolina, United States Senators Lee S. Overman of North Carolina and E. D. Smith of South Carolina, Congressmen R. N. Page of the Seventh North Carolina District and D. E. Finley of the Fifth South Carolina District, many prominent members of the Daughters of the American Revolution, and other distinguished men and women, were present. Seven companies of National Guard were encamped on the battleground. Hundreds of citizens occupied tents in which they spent the night preceding the dedication. Governor Martin F. Ansel presided. The Centennial Lyric that was used for the 1880 celebration, and written by Mrs. Clara Dargan McLean, was sung by a choir that had been especially trained for the occasion. The orator of the day was Dr. Henry N. Snyder, President of Wofford College, S. C. Congressman E. Y. Webb of North Carolina and D. E. Finley of South Carolina spoke upon the subject "The United States." A greeting was sent from Mrs. Matthew T. Scott, President General of the Daughters of the American Revolution. Senator Overman and Senator Smith made addresses, and also Governor Kitchen of North Carolina.

The speeches, as was to be expected, exhibited a high type of oratory, and were reported in full in the Yorkville Enquirer of October 8, 1909; but only a small part of each can be given here.

Dr. Snyder was the orator of the day, and he closed a masterly address with these words:

"But Shelby, Sevier, Campbell, Cleveland, McDowell, Winston, Hambright, Lacy, Hill and Williams, with the men under them, had done far more than destroy Ferguson. Their victory sent Cornwallis from Charlotte back to Winnsboro, all but panic-stricken, freed the up-country of the horror and oppression of Tory rule, brought a new hope, courage and faith to the patriotic cause everywhere, and became the turning point of the Revolution, made Yorktown's glad day a near possibility. There may have been other battles in which more men were engaged, but none counted for more in its deep and far-reaching influence than that one which was here fought one hundred and twenty-nine years ago. It gave us the Imperial Republic and this glad hour."

Congressman D. E. Finley, in part of his oration, said:

"On the 7th of October 1780 the patriot forces came up with Ferguson encamped on this spot. I shall not undertake a description of the battle. It is sufficient for my purpose to say that the British were surrounded on all sides by the patriot forces and after hours of fighting, the fiercest and bloodiest of the Revolutionary War, Ferguson was slain, and his entire force either killed or captured. A detailed account of this battle would be simply a narrative of the unrivaled courage and heroic deeds of the great leaders whose names are to adorn this marble shaft, and the deeds of their equally brave and heroic forces.

"The United States to commemorate their acts and deeds on this heroic spot has, by Act of Congress, ordered the erection of this monument; these men are worthy of all honor. The people of the United States are proud of the history they have made.

"It has been truthfully stated that the battle of King's Mountain led to the surrender of Cornwallis at Yorktown. After the battle of King's Mountain the gloom which had settled over the country lifted. After this, the American arms prospered as never before. * * *

"It is interesting to compare our country to-day with what it was one hundred and twenty-nine years ago. Then we numbered three million inhabitants, scattered along the Atlantic Coast, from Georgia to the St. Lawrence River, thirteen colonies in all. Now, we number forty-six States, not including our territories, and a population that exceeds ninety million. Then we were poor and struggling people. Now, the wealth of the United States equals that of any two nations of the world. Then we had not made good our claim to independence. Now, in all that makes a people truly great, the United States is the foremost and most powerful nation in the world.

"What we are to-day as a people and as a nation we owe to the patriot fathers, and along with those who did the most for

the cause of independence, the heroes of the Battle of King's Mountain take high rank."

Congressman E. Y. Webb of the Eighth Congressional District, closed his oration with these words:

"All this wonderful progress, this marvelous growth, these phenomenal inventions and discoveries have taken place in our glorious Republic, whose foundation was laid in the storm and stress of a battle, the anniversary of which this concourse of people are here to commemorate to-day. This, therefore, is holy ground, and on approaching it one should feel instinctively that he should remove his hat and unlatch his shoes; for here took place the decisive battle which sealed the destiny of unborn millions. God bless and keep the spirits of the stainless heroes who here fought and yielded their lives in such a country's noble cause! Brave, simple men! Pure in motive, patriotic in action, gallant in battle, and glorious in death!

"This magnificent shaft but feebly expresses our admiration of their deathless deeds, for could the loving and patriotic hearts before me to-day erect a monument in keeping with their sentiments, it would rise to the statue of pure gold and pierce the clouds, beyond the flight of bird or eagle!"

"But yonder lofty lonely mountain peak will stand forever as a twin sentinel of the splendid government tribute in granite, to point the spot where American liberty first received its full inspiration, and drew its first full breath of life.

"Let us emulate the lives of these noble men who fought and died and are buried here, by placing our country's cause above every cause save that of God and home, let us reconsecrate our lives to this beautiful Republic, and determine to make the land they won for us a garden of peace, of happiness, and of religious liberty!"

Mrs. McLean's Centennial Lyric, composed for the celebration of 1880, was sung by a trained choir at this dedication:

"Here upon this lonely height,
Born in storm, and bred in strife,
Nursed by Nature's secret might,
Freedom won the boon of life.
Song of bird and call of kine,
Fluttering life on every tree,
Every murmur of the wind,
Impulse gave to Liberty!
Then she blew a bugle blast,
Summoned all her yoemen leal,
'Friends, the despot's hour is past—
Let him now our vengeance feel!'
Rose they in heroic might,
Bondsmen fated to be free,

Drew the sword of Justice bright,
Struck for God and Liberty!
Come, ye sons of patriotic sires,
Who the tyrant's power o'erthrew,
Here where burned their beacon fires,
Light your torches all anew,
'Til this mountain's glowing crest,
Signalling from sea to sea,
Shall proclaim from East to West,
Union, Peace and Liberty!"

Bands of music discoursed throughout the exercises, and the celebration closed with the vast crowd singing the long meter doxology. The dedication was an immense success, and in every way worthy of the monument and this historical event which it represented.

Viewed as battles are now—contests between thousands or hundreds of thousands or even millions of men—the battle of King's Mountain was a small skirmish, as there were less than one thousand men on the American side, and not many more on the British; but naturally we are intensely interested in the effect of this battle, which was so small in the number of men engaged; and searching the authorities who have written about it, it is exceedingly interesting for Tennesseans, Virginians, North Carolinians and South Carolinians, to read the estimates placed upon it.

Thomas Jefferson said: "That memorable victory was the joyful annunciation of that turn of the tide of success which terminated the Revolutionary War with the seal of independence."

In his "Field Book of the Revolution" Lossing says: "No battle during the war was more obstinately contested than this; it completely crushed the spirits of the Loyalists, and weakened beyond recovery the royal power in the Carolinas."

Washington Irving in his "Life of Washington" expressed the opinion that "the Battle of King's Mountain, inconsiderable as it was in numbers, encouraged and turned the tide of southern warfare. The destruction of Ferguson and his corps gave a complete check to the expedition of Cornwallis. He began to fear for the safety of South Carolina, liable to such sudden eruptions from the mountains, lest, while he was facing to the north, these hordes of stark-riding warriors might throw themselves behind him and produce a popular combustion in the province he had just left; he resolved, therefore, to return with all speed to that province and provide for its security."

Bancroft expressed this opinion: "The victory at King's Mountain, which, in the spirit of the American soldiers was

like the rising at Concord, and in its effects, like the success at Bennington, changed the aspects of the war. The Loyalists of North Carolina no longer dared arise. It fired the patriots of the two Carolinas with fresh zeal; it encouraged the fragments of the defeated, scattered American army to seek each other and organize themselves anew. It quickened the North Carolina Legislature to earnest efforts; it encouraged Virginia to devote her resources to the country south of her border. The appearance on her frontiers of a numerous enemy from settlements beyond the mountains, whose very names had been unknown to the British, took Cornwallis by surprise, and their success was fatal to his intended expedition. He had to step with ease from one Carolina to the other, and from those, to the conquest of Virginia; and he had now no choice but to retreat."

Theodore Roosevelt in "The Winning of the West" sums it up in this manner: "The mountain men had done a most notable deed. They had shown in perfection the best qualities of horse-riflemen, the hardihood and perseverance that had enabled them to bear up well under fatigue, exposure and scanty food. Their long, swift ride, and the suddenness of the attack took their foes completely by surprise. Then, leaving their horses, they had shown in the actual battle such courage, marksmanship, skill in woodland fighting, that they had not only defeated, but captured an equal number of well armed, well led, resolute men in a strong position. The victory was of far-reaching importance, and ranks among the decisive battles of the Revolution. It was the first great success of the Americans in the south, the turning point in the southern campaign, and it brought cheer to the patriots throughout the Union. The Loyalists of the Carolinas were utterly cast down and never recovered from the blow, and its immediate effect was to cause Cornwallis to retreat from North Carolina, abandoning his first invasion of that State.

"The expedition offered a striking example of the individual initiative so characteristic of the backwoodsmen. It was not ordered by any one authority; it was not even sanctioned by the central or State governments. Shelby and Sevier were the two prime movers in getting it up; Campbell exercised the chief command; and the various other leaders with their men simply joined the mountaineers as they happened to hear of them, and came across their path. The ties of discipline were of the slightest. The commanders elected their own Chief, without regard to rank or seniority; in fact, the officer who was, by rank, entitled to the place, was hardly given any share in the conduct of the campaign. The authority of the Commandant over the other officers, and of the various Colonels over their troops, resembled rather the control exercised by Indian chiefs over their warriors, than the discipline obtaining in a regular army. But the men were splendid individual fighters who liked and trusted their

leaders, and the latter were able, resolute, energetic and intelligent.

"The mountaineers had come out to do a certain thing—to kill Ferguson and scatter his troops. They had done it, and now they wished to go home. The little log huts in which their families lived were in daily danger of Indian attack, and it was absolutely necessary that they should be on hand to protect them. They were, for the most part, very poor men, whose sole sources of livelihood were the stock they kept beyond the mountains. They loved their country greatly and had shown the sincerity of their patriotism by the spontaneous way in which they risked their lives on this expedition. They had no hope of reward; for they neither expected nor received any pay except in liquidated certificates worth two cents on the dollar. Shelby's share of these——certificates as Colonel throughout 1780 and 1781 was sold by him for 'six yards of middling broadcloth,' so it can be readily imagined how little each private got for the King's Mountain expedition."

But, above all others, we appreciate an opinion of the Battle of King's Mountain from our own historian, Dr. J. G. M. Ramsey, author of "The Annals of Tennessee." Dr. Ramsey's ancestors were among the first settlers in Tennessee and they helped to found, build, defend, and develop the State. He wrote his "Annals" in 1852, and he died in the City of Knoxville in 1884, aged 88 years. He says:

"The expedition against Ferguson was chivalric, in the extreme. It was undertaken against a distinguished, skillful leader at the head of a large force, which could easily have been doubled. It was composed of raw and undisciplined troops, hastily drawn together, against fearful odds, and under the most appalling discouragements.

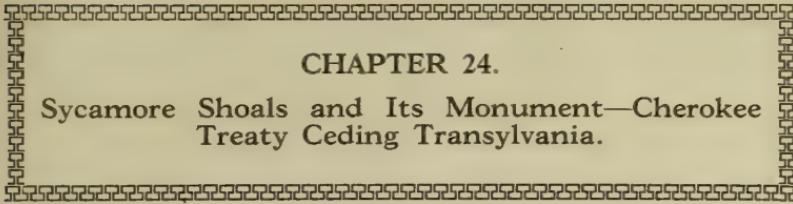
"The expedition was also eminently patriotic; when it was projected disaster and defeat had shrouded the South with an impenetrable cloud of despondence and gloom. Ruined expectations and blasted hopes hung like a pall over the paralyzed energies of the friends of America.

"The expedition, moreover, was entirely successful. The first object of it, Ferguson, was killed and his whole army either captured or destroyed. This gave new spirit to the desponding Americans, and frustrated the scheme of strengthening the British Army by the Tories in its neighborhood.

"The whole enterprise reflects the highest honor upon the patriotism that conceived and the courage that executed it. Nothing can surpass the skill and gallantry of the officers; nothing the valor of the men who achieved the victory. The whole history of the campaign demonstrates that the men who undertook it were not actuated by any apprehension that Ferguson would undertake the execution of his idle threat against them-

selves. For to these mountaineers nothing than such a scheme would make prettier game for their rifles; nothing more desirable than to entice such an enemy from his pleasant roads, rich plantations and gentle climate with his ponderous baggage, valuable armory, and the beautiful spoils of his Loyalists into the very center of their own fastnesses; to hang upon his flank, to pick up his stragglers, to cut off his foragers, to make short and desperate sallies upon his camp, and finally to make him a certain prey, without a struggle, and without a loss.

"Nor was it the authority or influence of the State that led to this hazardous service. Many of them knew not whether to any, or what, State they belonged. Isolated by mountain barriers, and in consequent seclusion from their eastern friends, they were living in the enjoyment of primitive independence where British taxation and aggression had not reached. It was a gratuitous patriotism that incited the backwoodsmen. In those days to know that American liberty was invaded, and that the only apparent alternative in the case was American independence, or subjugation, was enough to nerve their hearts to the boldest pulsations of freedom, and ripen their purposes to the fullest determination of putting down the aggressor."



CHAPTER 24.

Sycamore Shoals and Its Monument—Cherokee Treaty Ceding Transylvania.

Sycamore Shoals on the Watauga River in Carter County was the original center of the long, hazardous and heroic efforts of our forefathers to lay the foundation of the new commonwealth which was later established as Tennessee, and to spread the dominion of the paleface over a territory greater than some Old World empires, and inhabited by red savages. Nowhere in all the world can there be found a spot where historical events of more profound or far-reaching significance had their start, or which finally attained to a development which gave to a new and feeble Republic a territory as great as the Valley of the Mississippi and the States later carved out of it.

It was a grand and inspiring occasion brought about by Sycamore Shoals Chapter of Bristol, John Sevier Chapter of Johnson City, and Bonnie Kate Chapter of Knoxville, Daughters of the Revolution, on June 14, 1910, when three thousand auditors were assembled at Sycamore Shoals, and listened to the praises of those who one hundred and thirty years and more before made history on that very spot, and did their part in the Revolutionary battle for freedom and liberty. The Daughters of the Revolution are everywhere grandly performing their avowed mission of honoring and helping to keep alive and green the memories of our Revolutionary sires. Those sires laid the foundation of the Republic in which we live, and their valor defended it, and their blood was poured out that it might endure; and the result of their sufferings and hardships advanced the destiny of the human race to higher planes, and made possible the new principle that self-government is the only government fitted for American manhood and character.

In Tennessee the Daughters of the American Revolution can have the additional satisfaction of knowing and celebrating the deeds of their forebears before the Declaration of Independence

of 1776, as well as after, and can claim and prove that those same forebears lighted the camp fires of civilization in a wilderness of red barbarism, when no organized government backed them up, and when flintlock rifles and scant ammunition were their only war materials, and when successful combat could be waged only by being absolutely fearless of death. The occasion of July 14, 1910, celebrated two events before the Declaration of Independence of 1776, and one afterwards. The three Chapters mentioned each contributed, and secured from Washington and Carter Counties contributions for the erection of a monument at Sycamore Shoals, on the spot where the first settlers' fort west of the Alleghenies was erected in 1770; upon which spot also was negotiated the treaty under which Transylvania was acquired from the Cherokees on March 19, 1775, and where also the soldiers who fought the Battle of King's Mountain assembled as a rendezvous preparatory to starting on the trip across the mountains to fight Ferguson. The monument is constructed on an Indian mound, on a site donated by Mrs. J. C. Thomas, who was then the owner. The triangular base of the monument is of gray Tennessee marble, four feet each way. The shaft is nine feet high, and is made of river rock cemented together. A three-sided monument was selected to typify the three Colonels who took part in the Battle of King's Mountain, namely: Colonel William Campbell, Colonel Isaac Shelby, and Colonel John Sevier; and also to typify the three Chapters of the Daughters of the American Revolution, whose joint efforts brought about its construction.

There are four inscriptions on this monument. In the shaft is a bronze tablet:

To the memory of

the patriots

Who met here September 25, 1780,

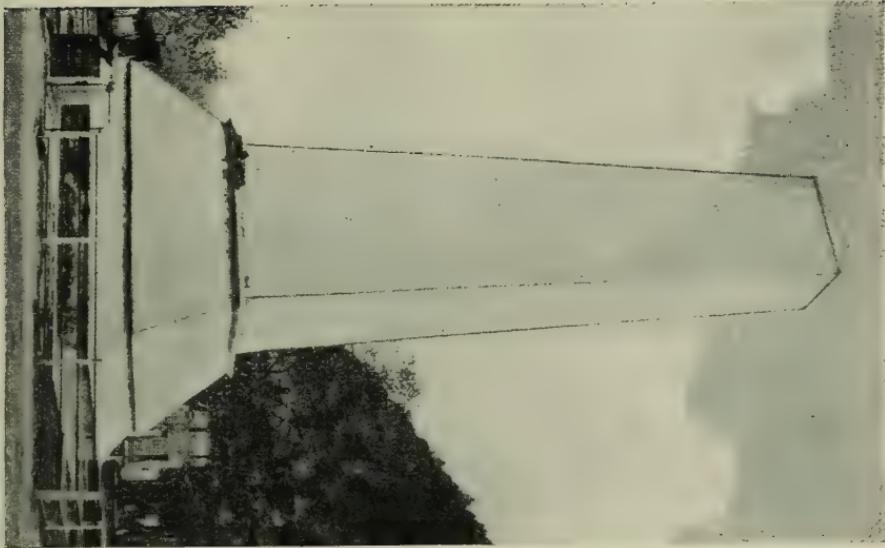
on their way to

King's Mountain, under

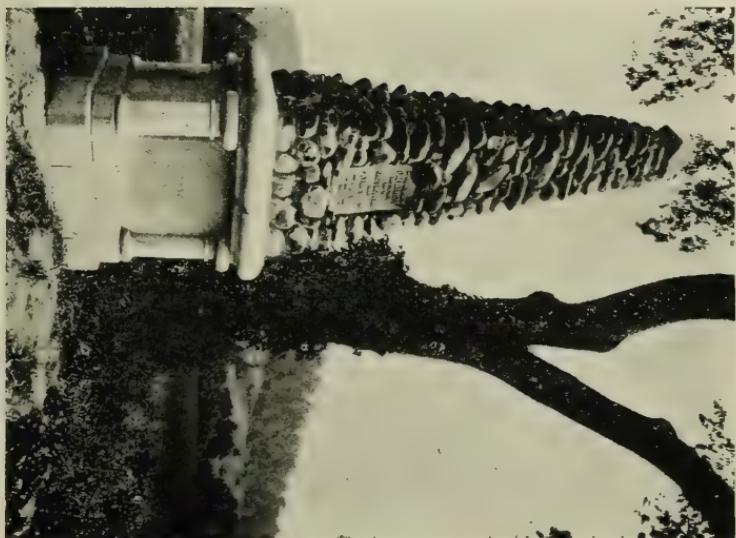
William Campbell, Isaac Shelby and John Sevier.

The inscriptions on the three faces of the base are these:

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Monument at Elizabethton to the Soldiers of Carter County, Tennessee,
In all the wars.



D. A. R. Monument at Sycamore Shoals, Elizabethton, Carter
County, Tennessee.

1780.....1909

Erected by
John Sevier
Bonnie Kate
Sycamore Shoals
Chapters D. A. R.
September 26, 1909.
The sword of the Lord and of Gideon.

Fort Watauga
First (Settlers' Fort)
Built west of
the Alleghanies
1770

Here was negotiated
the treaty
under which Transylvania
was acquired from the
Cherokees
March 19, 1775.

The program of the celebration opened with a prayer and the singing of "America," by one thousand voices, followed by a trio of little boys, descendants of the three Colonels who led the men across the mountains, unveiling the monument. These boys were Robert Asher Gray, a descendant of Colonel William Campbell; Carter Crymble, a descendant of John Sevier; and Evan Shelby, a descendant of Isaac Shelby, this boy coming from Memphis to participate in the ceremonies of the occasion. Shelby Thomas and Margaret Robertson, both descendants of Colonel Campbell, and Samuel Doak, descendant of the preacher who offered the prayer upon the departure of the soldiers for King's Mountain, were also present; and the Reverend David A. Carter, of San Antonio, Texas, a great-great-grandson of John Sevier, made a brief address. United States Senator and former Governor Robert L. Taylor was the orator of the occasion, and Mrs. J. H. McCue, Regent of the Sycamore Shoals Chapter; Miss Mamie Arnell, Regent of John Sevier Chapter, and Mrs. Joseph W. Sneed, Regent of the Bonnie Kate Chapter, made brief talks. The audience of three thousand persons present came from Tennessee, Southwest Virginia, North Carolina, South Carolina, Kentucky, Georgia, Alabama and Texas. Special trains were run for the occasion, and telegrams were received from a number

of Chapters of the Daughters of the Revolution throughout the country, showing the great interest they felt in the unveiling.

The John Sevier Chapter, D. A. R., of Johnson City, has gone further than to help erect the monument at Sycamore Shoals, and, by the aid of the Carolina, Clinchfield and Ohio Railroad, has erected a number of substantial markers along the route taken by the King's Mountain soldiers across the mountains, this route following for a considerable distance the line of the railroad.

The fort at Sycamore Shoals commemorated by the monument was an absolute necessity for the white man in 1770 when it was erected. At that early date there were very few pioneers on the Watauga, and for such as were there some forted protection was necessary, and saved the lives, first and last, of hundreds of men, women and children. The time ought never to come in Tennessee when its people forget that such a structure was built, and which rendered indispensable protection in those early days.

The Transylvania Purchase from the Cherokees was one of those monumental events in our early days that ought to be known by all Tennesseans. Colonel Richard Henderson had sent Daniel Boone to search out good lands in Kentucky and Tennessee, and report what he found. James Robertson accompanied Boone from North Carolina on one of his trips, and this was Robertson's introduction to East Tennessee. In time Robertson became well acquainted with the nature of the Cherokee Indian, and he gave Boone a hint that the Cherokees were very fond of highly colored clothing, showy ornaments and whiskey, and Boone took this hint to Colonel Richard Henderson, who thereupon organized in North Carolina a company for the purchase of the State of Kentucky and part of the State of Tennessee, and this territory he proposed to call "Transylvania." The purchase was consummated at Sycamore Shoals on March 19, 1775, as stated in the inscription on the monument. In the Company making the purchase there were, besides Colonel Henderson, Thomas Hart, John Williams, James Hogg, Nathaniel Hart, David Hart, Leonard H. Bulloch, John Luttrell, and William Johnston, and of these Colonel Henderson and Nathaniel Hart, accompanied by Daniel Boone, went to the various Cherokee towns, and proposed a council for the purchase of Indian lands by Henderson's company. Accordingly, on the 17th of March, 1775, the Indians came together at the Watauga Fort, in numbers said to be twelve

hundred warriors, and settlers said to be two hundred and fifty men, women and children also came, until a very animated and variegated crowd was present on a very pregnant historical mission. The greatest chieftains of the Cherokees were there and among them Oconostota and Atta-Culla-Culla, and among the whites were Colonel Henderson, James Robertson and John Sevier. There were feasting and dancing and numerous sports, and whiskey and bright goods and trinkets and gaudy jewelry, and everything that could attract the eye and taste of the Cherokee. The goods were brought across the mountains, and, with the whiskey, completely conquered the Indians. But there was one long-headed old chief, said to have been Oconostota, who, while he liked Colonel Henderson's whiskey and the bright cloth and the trinkets, held back and refused to sell. Haywood says that he made a very animated and pathetic speech. He began with the very flourishing state in which his Nation once was, spoke of the encroachments of the white people from time to time upon the retiring and expiring nations of Indians who left their homes and the seats of their ancestors to gratify the insatiable desires of the white people for more land. Whole nations had melted away in their presence like balls of snow before the sun, and scarcely left their names behind except as imperfectly recorded by their enemies and destroyers. It was once hoped that they would not be willing to travel beyond the mountians so far from the ocean, on which their commerce was carried on, and their connections maintained with the nations of Europe. But now that fallacious hope had vanished, they had passed the mountains and settled upon the Cherokee Lands and wished to have their usurpations sanctioned by the confirmation of a treaty. When that should be done, the same encroaching spirit would lead them upon other lands of the Cherokees. New cessions would be applied for, and finally the country which the Cherokees and their forefathers had so long occupied would be called for; and the small remnant which may then exist, once so great and formidable, will be compelled to seek a retreat in some far distant wilderness, there to dwell but a short space of time before they would again behold the advancing banners of the same greedy host, who, not being able to point out any further retreat for the miserable Cherokees, would then proclaim the extinction of the whole race. He ended with a strong exhortation to run all risks and incur all consequences, rather than submit to any further dilacerations of their

territory, but he did not prevail, and the cession was made. The flight of the years has proven that the Indian who made this speech had the inspiration of a prophet. A young Indian is said to have advanced the argument that if they sold Kentucky to Colonel Henderson it would be settled by white men, and that it would not be long until the white man in Kentucky would prove a barrier against the Shawnees, Mingoes, Senecas and the Delawares, who were the enemies of the Cherokees, and lived further north than Kentucky. Oconostota was out-voted, and was compelled to give his assent and to sign the treaty. It is impossible to tell, at this distance, what consideration was paid by Colonel Henderson for this immense purchase of land, and it is highly probable that no one except those white men immediate parties to the transaction ever knew. The consideration is said to have been ten thousand pounds sterling, which is equivalent to fifty-thousand dollars, and this was paid in merchandise. It may be put down as exceedingly questionable whether the merchandise was worth fifty thousand dollars.

R. S. Cotterill, author of "History of Pioneer Kentucky," published in 1917, gives this account of the Treaty:

"In the spring of 1775, the wagons laden with goods designed for the Cherokees by the Transylvania Company made their slow way across the Carolina mountains toward the appointed rendezvous on the Watauga River. The heavily laden wagons with their extraordinary cargo and their guard of two impassive warriors created much comment as they passed through the scattered settlements. The report got abroad and spread like wildfire that a new attempt was to be made to cross the Cumberlands and settle Kentucky.

"Premonitions of such things caused Henderson to take precautions that the treaty should be fair and just, and that the Indians should fully understand the nature of it all. All half-breeds among the Indians were required to attend and assist at interpreting. Moreover, the best linguists among the Indian traders, including Ellis Harlan, Isaac Rogers, Thomas, Benjamin, and Richard Paris, and Thomas Price were present and rendered active aid. Several men of note in the 'settlements' were there, among which number was Isaac Shelby, later to become first Governor of Kentucky. He was making plans for moving to Kentucky, and more than suspected that Henderson was after the same lands as himself.

"From the time the contracting parties met until their departure, twenty days were consumed, but not all these were spent in business. The actual treaty making seems to have taken up

about five days while the remaining time was passed in feasting and revelry. On the first day Henderson and his companions called upon the Indians to show their title to the Kentucky lands. This the chiefs did, and Henderson satisfied himself by a most careful investigation that the Cherokees alone of all the people of that time were the rightful owners of the land. On the second day there came up the question of what lands Henderson wished to buy from the Indians. The Cherokees showed themselves unwilling to part with any lands except those lying to the north and east of the Kentucky River. This region Henderson promptly refused to buy for the quite sufficient reason that Virginia had already bought it and was at that moment in possession. The Indians, unable to comprehend the ethical principle which prevented them from selling the same property as often as they pleased, were much incensed at Henderson's attitude, and, led by Dragging Canoe, they withdrew and broke up the conference. However, the lure of the 'white man's goods' was too much for the Indian character, and the following day found the Indians prepared to renew the conference. Henderson renewed his demands, and the Indians finally agreed to them, though not without many complaints of the fewness of the goods to be given in exchange. It was at this juncture that Dragging Canoe, in an impassioned address, warned the white men that they had secured a 'dark and bloody ground,' a phrase that was to become widely famous. The region demanded by Henderson and yielded by the Indians lay between the Kentucky and the Cumberland rivers. On the fourth day nine deeds, one for each of the proprietors, were prepared and laid before the Indians for signing. The interpreters were present and read the documents to the chiefs, word for word, until they declared they thoroughly understood them. Then the chiefs signed. One of the interpreters, Vann, as a result of a slight altercation with Henderson, at the last moment counseled the Indians to reject the treaty, but his advice fell on unheeding ears.

"The expense of the twenty days of treaty making was by no means small, and was met by the Transylvania Company. They furnished beeves, flour, corn, and other provisions for the entire assembly. To the credit of the company no liquor was given the Indians until the negotiations were completed. Hardly was the treaty signed, however, before the chiefs got gloriously intoxicated. The action of Henderson throughout is not open to criticism. There will not be found in history a treaty more fairly negotiated or more religiously observed."

Colonel Henderson and his associates contemplated the establishment of a separate government in the territory bought, but in 1776 they addressed a petition to the Continental Congress in which they requested that Transylvania might be made one of the United Colonies, "Having their hearts warmed with the same noble

spirit that animates the Colonies"—they said, "and moved with indignation at the late ministerial and parliamentary usurpations, it is the earnest wish of the proprietors of Transylvania to be considered by the Colonies as brethren engaged in the same great cause of liberty and mankind."

After the purchase by Colonel Henderson and his associates, the Watauga Association, which held under a lease of eight years the land occupied by the white settlers, wanted to obtain a fee simple title to these lands, and two days after Henderson's purchase they succeeded, for a consideration of two thousand pounds sterling, in buying their homes in fee simple; and it was in reference to these lands and this purchase that Oconostota said to Daniel Boone, "Young man, we have sold you a fine territory, but I fear you will have some difficulty in getting it settled." He was a man of great power, was deep and treacherous, and for many years was one of the most powerful enemies the white man had in the long contest with the Indians. He lived to see the day when his prophecy had come true, and when the Cherokee nation had been crushed by John Sevier.

The deed by which the Watauga Association procured a fee simple title to the homes of the settlers is on record in the Register's Office of Washington County, Tennessee, and the conveyance is to Charles Robertson, who afterwards issued conveyances to all of those who had settled on land and were building a home. This deed is a very interesting document, and Ramsey gives it as follows: "LAND RECORDS OF THE WATAUGA PURCHASE."

"THIS INDENTURE made on the 19th day of March, 1775, by Oconostota, chief warrior and first representative of the Cherokee Nation, or tribe of Indians, and Atta-Culla-Culla and Savanucah, otherwise Coronoh, for themselves, and the rest of the whole nation, being the aborigines and sole owners by occupancy from the beginning of time, of the lands on the waters of Holston and Watauga Rivers, and other lands thereunto belonging, of the one part, and Charles Robertson of the settlement of Watauga of the other part, WITNESSETH."

The consideration was "The sum of two thousand pounds, lawful money of Great Britain in hand paid."

The deed embraced "all that tract, territory or parcel of land on the waters of Watauga, Holston and Great Canaway, or New River; beginning on the south, or southwest side of Holston River six English miles from Long Island in said River; thence a direct line, nearly a south course to the ridge which divides the waters of

Watauga from the waters of Nonachuckeh; thence along the various courses of said ridge nearly a southeast course to the Blue Ridge, or line dividing North Carolina from the Cherokee lands; thence west along the Virginia line to Holston River; thence down the meanders of Holston River to the first station, including all the waters of Wautauga, part of the waters of Holston, and the head branches of New River, or Great Canaway, agreeable to the bounds aforesaid, to said Charles Robertson, his heirs and assigns.

"And also the said Charles Robertson, his heirs and assigns shall and may peaceably and quietly have and hold, possess and enjoy said premises without let, trouble, hindrance or molestation, interruption or denial, of them, the said Oconostota, and the rest, or any of said nation.

"Signed in the presence of

"John Sevier,

"Oconostota, his X mark (Seal)

"William Bailey Smith,

"Attacullecully, his X mark, (Seal)

"Jesse Benton,

"Tennesy Warrior, his X mark ("")

"Tillman Dixon,

"Willinawaugh, his X mark ("")

"William Blevins,

"Thomas Price,

"James Vann, Linguister."

During the pendency of the conference at Sycamore Shoals, Parker and Carter, whose store had been robbed by Indians, attended and demanded as pay for their loss, Carter's Valley, to which the Indians assented, if some additional consideration was given, which was done.

Still another deed was made by the Indians at Sycamore Shoals to Jacob Brown in consideration of ten shillings, and this deed embraced a very large amount of the very best land in Washington and Greene Counties.

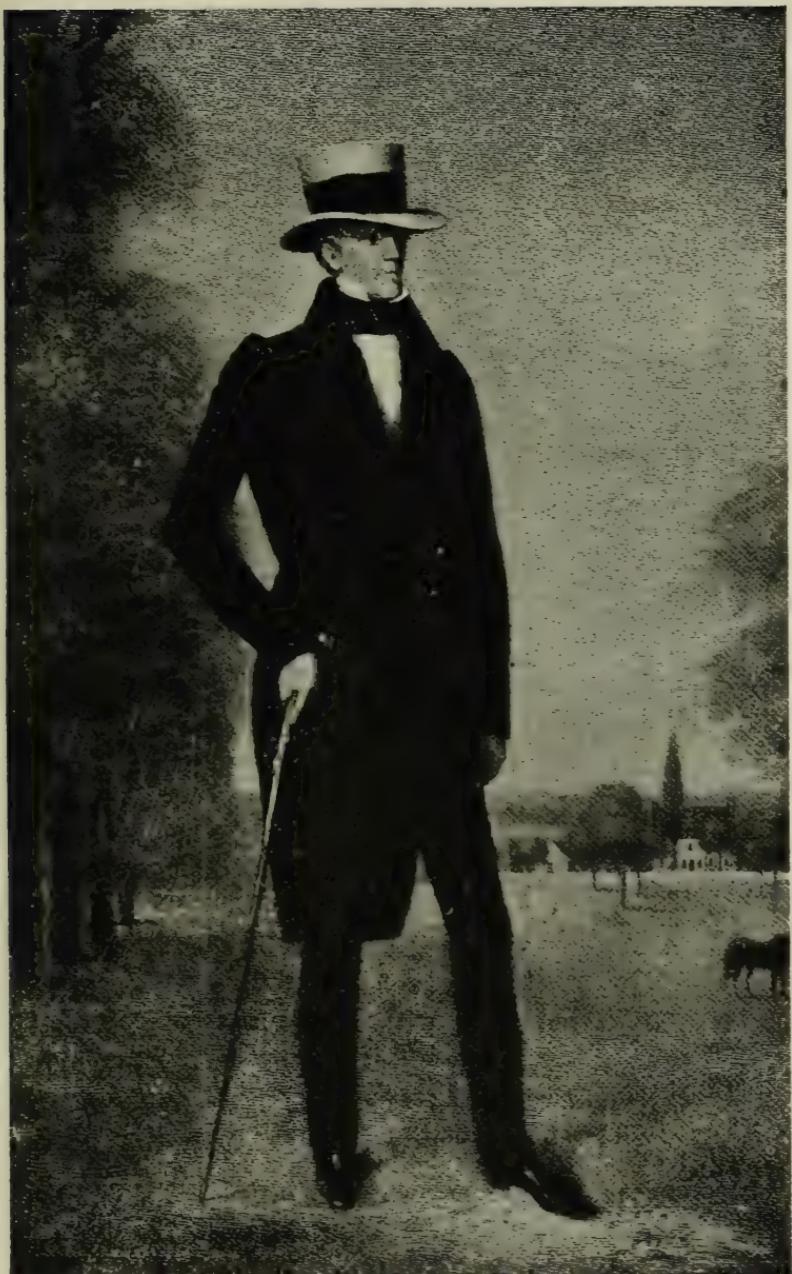
Still another deed was made, and neither the amount of land nor the consideration was stated.

It is evident that the settlers thought that the conference at Sycamore Shoals was the accepted time for straightening out land titles with the Indians, and under the stimulating and exciting environment, the negotiations seem to have passed off in a very pleasant and friendly way, and never afterwards, so far as history records, was a charge made by the Indians that in this treaty they were swindled by the white men.

CHAPTER 25.

Andrew Jackson, Chronology.

- 1767 March 15—Born in North Carolina? South Carolina?
- 1784 Fall—Begins the study of law.
- 1787 May—Admitted to practice law in North Carolina.
- 1788 August 12—Duel with Col. Waightstill Avery at Jonesboro.
- 1788 Spring—Appointed Public Prosecutor for Tennessee.
- 1791 November—Married Mrs. Rachel Donelson Robards, at Natchez, Mississippi.
- 1796 January 11—Member first Constitutional Convention of Tennessee.
- 1796 Elected Representative in Congress from Tennessee.
- 1797 November 22—Appointed by Governor Sevier Senator from Tennessee, vice William Blount, resigned.
- 1798 June—Resigns from Senate.
- 1798 Elected a member of the Superior Court of Law and Equity.
- 1801 Elected Major General of Tennessee militia.
- 1804 Makes his home at the Hermitage in a log house.
- 1804 July 24—Resigns from the Superior Court.
- 1805-6 Entertains Aaron Burr.
- 1806 May 30—Duel with Charles Dickinson.
- 1812 June 25—Offers services of Tennessee Volunteers to the United States Government in the war of 1812.
- 1813 January 7—Starts for New Orleans with Tennessee militia.
- 1813 February 15—Arrives at Natchez.
- 1813 March 25—Starts home from Natchez.
- 1813 September 4—Wounded in affray with Thomas H. and Jesse Benton.
- 1813 October 11—Starts with his command for the Creek War.
- 1813 November 3—Battle of Tallusatches, Creek War.
- 1813 November 9—Battle of Talladega, Creek War.
- 1814 January 22—Battle of Emuckfau, Creek War.
- 1814 January 24—Battle of Enotocopco, Creek War.



ANDREW JACKSON
From painting by R. E. W. Earle.

- 1814 March 27—Battle of the Horseshoe, Creek War.
- 1814 April 19—Appointed Brigadier General United States Army.
- 1814 May 1—Appointed Major General United States Army, vice William Henry Harrison, resigned.
- 1814 August 10—Had treaty with Creeks signed.
- 1814 September 9—Starts first Florida campaign.
- 1814 December 2—Arrives at New Orleans for the defense of the city.
- 1814 December 16—Declares martial law in New Orleans.
- 1814 December 23—First battle in defense of New Orleans.
- 1815 January 1—Second battle in defense of New Orleans.
- 1815 January 8—Wins battle of New Orleans.
- 1815 March 5—Causes the arrest of Judge Dominick A. Hall, United States District Judge at New Orleans.
- 1815 March 13—Abrogates martial law at New Orleans.
- 1815 March 24—Fined \$1,000.00 by Judge Dominick A. Hall for contempt of court, which Jackson paid the same day, and which was refunded by Congress with interest in 1842.
- 1815 May 15—Arrives at Nashville from New Orleans.
- 1817 December 26—Enters upon second Florida campaign.
- 1818 April 28—Causes the execution of Arbuthnot and Ambrister.
- 1819 February 8—House of Representatives in Congress sustains Jackson's conduct in the Florida campaign.
- 1819 January and February—Visits Eastern cities.
- 1819 February—Spain cedes Florida to the United States.
- 1821 Appointed by President Monroe Governor of Florida.
- 1821 May 31—Resigns from the army.
- 1821 July 17—Takes possession of Florida as Governor, and it becomes a territory of the United States.
- 1821 October—Resigns as Governor of Florida.
- 1822 July 20—Nominated for President by the Legislature of Tennessee.
- 1823 Offered and declined mission to Mexico.
- 1823 October—Elected to the United States Senate from Tennessee.
- 1823 Built church for Mrs. Jackson near Hermitage.
- 1824 March 4—Nominated for President by the Pennsylvania Convention.
- 1824 November—Receives plurality of electoral votes for President.

- 1825 February 9—Defeated for President in the House of Representatives in Congress by John Quincy Adams, who received the vote of thirteen States, Jackson seven, William H. Crawford of Georgia four.
- 1825 LaFayette visits the Hermitage.
- 1825 October—Resigns from the United States Senate.
- 1825 October—Renominated for President by the Legislature of Tennessee.
- 1826 or 1827 Communion Sunday, date uncertain, promises Mrs. Jackson to join the church when out of politics.
- 1828 November—Elected President of the United States.
- 1828 December 22—Death of Mrs. Jackson.
- 1829 January 17—Leaves Hermitage for his inauguration.
- 1829 March 4—Inaugurated President.
- 1830 April 13—Offers toast: "Our Federal Union, it must be preserved," at Jefferson's birthday dinner.
- 1830 December 7—Recommends that the Southern Indians be removed to the Indian Territory.
- 1832 July 10—Vetoes bill rechartering the Bank of the United States.
- 1832 November—Re-elected President of the United States.
- 1832 December 10—Issues proclamation to nullifiers of South Carolina.
- 1833 June 26—Harvard College confers the degree of LL. D.
- 1833 September 23—Orders withdrawal of deposits from Bank of the United States.
- 1834 March 28—Censured by Senate by resolution for removing public deposits from the Bank of the United States.
- 1835 December 29—Treaty with the Cherokee Indians for their removal to Indian Territory.
- 1835 January 8—Proclaims the payment in full of the national debt of the United States.
- 1837 March 16—Resolution passed in the Senate expunging the resolution of censure of 1834.
- 1837 March 4—Issues farewell address to people of the United States.
- 1839 Becomes a member of the Presbyterian Church built by him near the Hermitage for Mrs. Jackson.
- 1843 June 7—Made his last will.
- 1845 June 8—Sunday, at 6:00 p. m. died.
- 1845 June 10—Buried by the side of Mrs. Jackson at the Hermitage.

CHAPTER 26.

Andrew Jackson—History.

Seven ancient cities—Athens, Argos, Smyrna, Rhodes, Colophon, Salamis in Cyprus, and Chios—claimed and contended for the honor of being the birth-place of poor old blind Homer. Two American commonwealths—North Carolina and South Carolina—have contended and contend today for the honor of having been the birth-place of Andrew Jackson, who, at the time of his birth had as helpless an outlook upon life and the world, as any offspring of any immigrant that ever landed on our shores. The controversy between North Carolina and South Carolina is of many years' standing, and the issue between the two States reached its most pronounced state when James Parton, an Englishman, wrote a Life of Jackson in 1858, and secured the services of General Walkup, of North Carolina, to make an investigation and secure proof as to Jackson's birth-place. It was but natural that General Walkup should wish the fact to be found in favor of North Carolina, but however he may have felt, that was the result, and Parton adopted his views, and was the first to take a bold and pronounced stand in favor of the proposition that Jackson was born in North Carolina. It must be said that down to the publication of Parton's Life, the general current of biographies and writings on the subject of Jackson's birth-place was in favor of South Carolina.

The last, and probably the strongest contender in this controversy, is Secretary A. S. Salley, Jr., of the Historical Commission of South Carolina, who prepared a paper of thirty-one printed pages, published as a part of Brady's "The True Andrew Jackson," wherein Secretary Salley sets forth the argument in favor of the Palmetto State. This argument is too long to be here reproduced in full, so it is presented in condensed form, and for the sake of clearness, his various contentions will be numbered:

Secretary Salley says:

1. Andrew Jackson always claimed that he was born in South Carolina.

2. On December 24, 1830, Jackson wrote a letter to J. R. Pringle, Intendant of Charleston, South Carolina, where he speaks of Charleston as "the emporium of my native State."

3. On December 9, 1832, he wrote a letter to Joel R. Poinsett, who was born in Charleston, South Carolina, wherein he speaks of "our native State."

4. On December 10, 1832, one day after he wrote the letter to Mr. Poinsett, he issued a proclamation to the nullifiers of South Carolina, and addressed them as "Fellow citizens of my native State."

5. On June 24, 1833, he wrote another letter to Poinsett, and again used the expression in reference to South Carolina, "my native State."

6. On January 13, 1843, at the Hermitage, he wrote a letter to Governor Hammond of South Carolina wherein he refers to "the Legislature of my native State, South Carolina."

7. In his last Will and Testament he bequeaths to Andrew Jackson, Jr., "the large silver vase presented to me by the ladies of Charleston, South Carolina, my native State."

All of this is conclusive as to the State he thought he was born in, and we naturally inquire, in a controversy of this kind, as to what weight should be given to a man's opinion and statement as to his birth-place. Ordinarily, such a statement is accepted as conclusive, unless evidence strong, convincing and overwhelming is presented to show that he is in error. It is difficult to rebut Secretary Salley's proposition that as bright a youth and young man as Jackson was, it is preposterous to say that he could be in error as to his birth-place. The early biographers take Jackson's view, also.

8. The first of these was the biography published in 1817 by Major Reid, who was Jackson's aid at the Battle of New Orleans, and for years in personal contact with him, and Reid put his birth-place as South Carolina.

9. General James Gadsden, in 1824, published a pamphlet entitled "Sketches of the Life and Public Services of General Andrew Jackson," and stated that Jackson was a native of South Carolina, and was born on the 15th of March, 1767, at the Waxhaw settlement, about forty-five miles above Camden, and was the youngest of three sons.

10. In 1834 William Cobbett published a biography of Jackson, and gave South Carolina as his birth-place.

11. In 1843 Amos Kendall, who was a member of what was called Jackson's "Kitchen Cabinet," published in serial form a part of a biography of Jackson, and gave South Carolina as his birth-place, and included a map with the biography, showing the spot in South Carolina where he was born.

12. On June 18, 1845, the Charleston, South Carolina, "Courier" published a sketch of Jackson's life, and credited the birth-place to South Carolina.

13. On June 27, 1845, George Bancroft, the historian, delivered his oration in Washington City on Jackson, and said:

"South Carolina gave a birth-place to Andrew Jackson. On its remote frontier, far up on the forest clad banks of the Catawba, in a region where the settlers were just beginning to cluster, his eyes first saw the light."

14. On December 19, 1820, a Special Committee of the Legislature of South Carolina, to which Committee had been referred the matter of the presentation to the Legislative Library of South Carolina, by James Thonaldson, of a bust of General Jackson, made a report, in which was used the following language:

"With so many themes of admiration and causes of gratitude in the history of the General, we, as Carolinians, have the still more happy reason for gratulation that he, whose nativity has been the cause of rivalry for contending States, is acknowledged as our own."

This report was spread upon the Journal of the House, and published in the Acts of the General Assembly of South Carolina, and thereby given weight and publicity.

15. J. Boykin, the Surveyor of South Carolina, in 1820, surveyed the Lancaster District, which joins the Waxhaw District under a contract with South Carolina, and prepared a map, and on that map locates "Genl. A. Jackson's birthplace." This map was engraved for Mill's Atlas of South Carolina, published in 1825.

16. Eugene Reilly, surveyor and engineer, published a map in 1820, and it also locates "Genl. Jackson's birthplace," and puts it at the spot where Boykin put it.

17. In 1858 the Lancaster Ledger (South Carolina) published an article in which it used this language:

"Many years ago it was mooted whether General Jackson was born in this State or just over the line in North Carolina. Colonel James H. Whitterspoon, then a prominent citizen of this district, and intimate friend of Jackson, addressed him a letter of inquiry as to his birth-place. The reply of General Jackson

was full and particular. He states that he was born in the Waxhaws in South Carolina, on a place belonging to Major Crawford. This letter is now in the hands of James H. Witherspoon, Esquire, son of the late Colonel James H. Witherspoon, to whom it was addressed."

Secretary Salley's argument was dated at Columbia, South Carolina, August 25, 1905.

The author has in possession two Lives of General Jackson, one of which is by John S. Jenkins, A. M., published in 1852, in which Mr. Jenkins states that Jackson was born in the Waxhaw settlement about forty-five miles above Camden, South Carolina, near the boundary line of North Carolina; the other is by Philo A. Goodwin, Esquire, entered according to Act of Congress in the year 1833 in the Clerk's office of the Southern District of New York, in which Mr. Goodwin says that Jackson was born at Waxhaw, District of Marion, in the State of South Carolina.

The argument advanced by Parton on the strength of the testimony secured by General Walkup, is based upon the memory of old men and women in 1858, repeating what they had heard their ancestors say about the place of Jackson's birth. General Walkup's evidence was secured about ninety years after Jackson's birth and this evidence is hearsay and it may or may not be correct. The candid investigator who is without State pride in the settlement of the question, will probably conclude that the weight of the evidence is on the side of South Carolina, and this is the conclusion of the author. Without in any sense dogmatically asserting that the evidence for South Carolina is conclusive, the probabilities, we might say the strong probabilities, are in favor of South Carolina's claim.

As an illustration of the strength or weakness, as the reader may look at it, in favor of North Carolina, General Walkup secured a statement from an old man by the name of Benjamin Massey, who said that he heard Mrs. Lathan, who claimed to have been present at the birth of General Jackson, say that she as a child of seven years, went with her mother to Mrs. Jackson at the time of the birth, and that Mrs. Jackson was then at McCamie's house in North Carolina.

This presents the question as to the weight to be given to the statement of an old man who quotes a woman who made a statement about a matter that she says occurred when she was seven years old.

At the time of Jackson's birth, the Waxhaw settlement was sparsely settled, and practically a wilderness, and it is very improbable indeed that the residents had a very accurate idea where the line between North and South Carolina ran, and that unless they had some special reason or motive for investigating and ascertaining its location, it remained with them a mere matter of guess work, and not a reliable fact.

The reader will observe that the weight of the case made by Mr. Salley for South Carolina is based upon the idea that a man is generally a reliable witness as to his birthplace, and upon the maps made by Boykin and Reilly, both of whom were surveyors. It is to be observed, however, that as far back as 1820, fifty-three years after General Jackson's birth, that there was a dispute as to the State of his birth, but from that date to the publication of Parton's biography in 1858—thirty eight years—General Jackson's statement that he was born in South Carolina seems to have been generally accepted, and any further discussion over his birthplace dropped, until Parton raised the question again in 1858.

But wherever born, the testimony is absolutely conclusive that Jackson came into the world the child of the deepest poverty, and that his father never got title to the tract of land on which he lived, and that he is now buried in the Waxhaw church yard in an unmarked grave, and that Jackson's mother is buried no one knows where.

After the General became President, he had an investigation made for his mother's grave, but without results.

His brother Robert died of the smallpox, and so Andrew Jackson, emigrant, had only a boy of fourteen out of a family of five, to perpetuate his name, and this fourteen year old boy destined for "Fame's eternal camping ground," had a future that appeared so forlorn that, like the Ancient Mariner, he was

"Alone, alone, all alone!
Alone on the wide, wide sea."

Tarleton, in May, 1780, made a raid into the Waxhaw settlement and killed one hundred and thirteen of a detachment of militia which he found there, and wounded more than that. This was generally called "Tarleton's Massacre" and created flaming excitement all over the State, and drove the citizens from their homes until Tarleton's command departed. It was about this time that the British officer commanded Andrew to

clean his boots, which he refused to do, and the officer struck the boy with his sword, the blow being partially warded off by his hand, but which left a gash both on Andrew's head and hand. This, and a series of events at this period, gave Andrew Jackson a taste of real warfare, and begot an intense hatred of the British which was amply justified by the treatment that they gave him and his family, and the people of South Carolina. Mrs. Jackson died probably of ship fever in a prison ship, or by exposure to ship fever, while waiting on prisoners on the ship.

Cornwallis surrendered on October 19, 1781, and this was practically the end of the Revolutionary War, though not entirely so. The formal declaration of peace was declared in April 1783.

The first work we read of Andrew doing was as a saddler; and the evidence seems to be beyond question that he taught school, though for what length of time, and where, may be questioned. We would infer from this that his education may have been somewhat better than he is generally credited with at that time of his life.

He began to read law in Salisbury in 1786 with Spruce McKay, one of the ablest lawyers in North Carolina at that day. He was about eighteen years old when he began to study law; he read and studied with John McNairy and ———— Crawford in McKay's office. We have been unable to find any information as to the connection, if any, of Crawford, the law student, to Jackson, but the probabilities are that he was Jackson's cousin. He received a license to practice law at the age of twenty, and about a year elapsed between that time and his crossing the mountains to make his home in Tennessee.

JACKSON'S NORTH CAROLINA LICENSE, 1787.

State of North Carolina.—ss.

To the Justices of the several Courts of Pleas and Quarter Sessions within the State:

Whereas, Andrew Jackson, in Rowan County in the State aforesaid, gentleman, hath applied to us, the judges of the superior court of law and equity. The said gentleman hath applied to plead and practice as an attorney in the several county courts in the same State; and whereas the said Andrew Jackson hath resided in the said State for the space of two years last past, and is sufficiently recommended to us as a person of unblemished moral character, and, upon examination had before us, appears to possess a competent degree of knowledge in the law for the purpose aforesaid.

We, therefore, in pursuance of the power and authority committed to us by the act of the general assembly in that case made and provided, do hereby admit the said Andrew Jackson to plead and practice as an attorney in the said several courts of pleas and quarter sessions within the said several courts, with all and singular the privileges and moluments which of right appertain to attorneys and practicers of the law in the same; he, the said Andrew Jackson, taking the several oaths appointed by law for his qualification: given under our hands and seals the twenty-sixth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and in the twelfth year of our independence.

SAM'L ASHE (SEAL)
JNO. F. WILLIAMS (SEAL)

State of North Carolina, Anson County—ss. October Sessions, 1787.

These may certify that Andrew Jackson, Esquire, produced the within commission authorizing him to practice as an attorney within the several county courts within this State before the justices of the county court of Anson, etc., and was qualified in due form. Certified, etc.,

MICH C. AULD, C. C.

At Johnsonville, Randolph County, North Carolina, on Tuesday morning, December 11, 1787, Jackson, then a few months past twenty years of age, entered the court house and produced a license from the Judges of the Superior Court of Law and Equity, authorizing him to practice as an attorney in the several county courts, and he took the oath prescribed by law. It is not known how long he remained in Johnsonville or Randolph County, but he was certainly there at the March court, 1788, as shown by the entry of the minutes of that court as follows:

"On motion of Andrew Jackson, Esquire, attorney for Absolom Tatum, it is ordered that Adam Tate, Esquire, Coroner of Rockingham County, be fined 50 Lbs. Nisi for failing to return a writ of Fieri Facias against John May, sheriff of said County, at the instance of Absolom Tatum, and that Sciere Facias issue accordingly."

The Justices before whom Jackson qualified to practice law at Johnsonville were: John Arnold, Zebidee Wood, John Lane and Arnold Hill. These four justices were members of the County Court which was held in North Carolina at that date four times a year.

There is very little known of where he lived, or what he did, or how he got along, during this year, but the next certain information

we have about him is when he, and a number of other emigrants assembled at Morganton, North Carolina, to start to Jonesboro, Tennessee. One of these was John McNairy, who was Jackson's friend, and who was appointed Judge of the Superior Court of the Western District, which then meant the present State of Tennessee, and Jackson was appointed Public Prosecutor; Thomas Searcy, a friend of Jackson's was appointed Clerk of the Court. They traveled by horseback across the mountains and reached Jonesboro, and with that we are confronted with another of those controverted questions about Jackson's early life, namely: how long did he remain at Jonesboro, before going to Nashville to make his final destination there? Generally the statement is made by the biographers and historians that he reached Nashville in October 1788, and Colonel A. S. Colyar in the first volume of his Life of Andrew Jackson accepts this date as correct, frankly stating, however, that "There is much circumstantial evidence tending to show that Jackson and McNairy remained in East Tennessee two years, but I (Colonel Colyar) have in my possession a letter of Judge McNairy, written in 1827, showing that he and General Jackson reached Nashville in October, 1788. This is the extract from the letter:

"Nashville, 7th May, 1827.

"Dear Sir: You desired me to state my knowledge of the private character of General Jackson as it respects his conduct in connection and intermarriage with Mrs. Jackson.

"General Jackson and myself have been acquainted for more than forty-five years; part of that time we lived together, and the balance in the immediate neighborhood of each other. We moved together from North Carolina to this State, and arrived at Nashville in October, 1788."

It will be observed that this letter was written by Judge McNairy thirty-nine years after the date he says he and Jackson arrived in Nashville. It appears to be certain that Jackson was admitted to practice law in Sumner County in January, 1789, evidenced by this entry upon the Sumner County Court record:

"January 12, 1789. Andrew Jackson, Esquire, produced his license as an attorney at law in Court and took the oath required by law."

On October 6, 1790, another entry shows that he was again in Sumner County:

"October 6, 1790. Andrew Jackson, Esquire, proved a bill of sale from Hugh McGary to Gaspar Mansker for a negro woman which was O.K."

Chancellor John Allison, of Nashville, does not agree, by any means, with Colonel Colyar as to the date of arrival. In Chancellor Allison's book "Dropped Stitches in Tennessee History" he says:

"Jackson did not arrive at Nashville until the fall of the year 1789 or the spring of 1790—most probably the latter. He settled in Jonesboro in what was then Washington County, North Carolina, and is now Washington County, Tennessee, in the early part of the Spring of 1788." * * * *

"On the old record books of the minutes of the proceedings of the Court of Pleas and Quarter Sessions kept at Jonesboro will be found the following entry:

"State of North Carolina, Washington County, Monday, the twelfth day of May, Anno Domini, seventeen hundred eighty-eight. Andrew Jackson, Esquire, came into Court and produced a license as an attorney with a certificate sufficiently attested of his taking the oaths necessary to said office, and was admitted to practice in this County Court." * * *

"These old court records at Jonesboro disclose the fact that Jackson was in the town and in attendance on the Court of Pleas and Quarter Sessions at its November term, 1788." * * *

"The Court records for the years 1788 and 1789 kept in Washington, Sullivan, Greene and Hawkins Counties, establish the fact that Jackson was practicing law in those Courts during the two years mentioned."

Chancellor Allison also gives from the same record at Jonesboro, November term, 1788 a copy of a bill of sale as follows:

"A bill of sale from Micajah Crews to Andrew Jackson, Esquire, for a negro woman named Nancy, about eighteen or twenty years of age, was proven in open Court by the oath of David Allison, a subscribing witness, and ordered to be recorded."

Chancellor Allison was born and raised at Jonesboro, Tennessee, and became a resident of Nashville only after he was Secretary of the State of Tennessee in 1885-1889. He published his "Dropped Stitches in Tennessee History" in 1897.

In reference to the arrival of Andrew Jackson in Jonesboro he says that he made it his business to investigate the facts as to Jackson's early life at Jonesboro, and his arrival there, and that he talked to aged native-born citizens who personally knew Jackson, and had also heard much concerning him; and he quotes these aged citizens as saying that when Jackson arrived in Jonesboro he was riding one horse and leading another; that the horse he was riding was a race horse; that he had a pair of holsters

buckled across the front of his saddle, and that on the led horse, were a shot gun, a "pack" and a well filled pair of saddlebags, while following after him was a goodly pack of fox hounds.

Chancellor Allison gives as his authority for this inventory of Jackson's possessions in Jonesboro three old gentlemen who knew Jackson personally, namely: Major Bird Brown, Abraham Taylor and John Allison.

He says that the price of such a slave as that described in the bill of sale to Jackson was about three hundred dollars.

It was at Jonesboro, on August 12, 1788, that Jackson wrote the challenge to Colonel Waightstill Avery to fight a duel, a fac simile of which is published in this volume. That the reader may know that this fac simile is absolutely authentic, the author states that the original is now in the possession of descendants of Colonel Avery, who keep it in a bank box at Morganton, North Carolina, and a photograph from which this fac simile was made, was given to the author by a member of the Avery family. The challenge grew out of differences arising between Colonel Avery and Jackson in the trial of a suit in Court at Jonesboro in which both parties lost their temper, and Jackson then and there wrote the challenge on the blank leaf of a law book, and himself delivered it to Colonel Avery. Gen. John Adair acted as second to Colonel Avery. The duel was fought, neither party was injured, they made friends, and that ended the matter.

In just thirty-five days after Tennessee became a State in the Union Jackson received from Governor John Sevier a license to practice law in the new State. The Governor issued the license in these words:

"STATE OF TENNESSEE

JOHN SEVIER, GOVERNOR IN AND OVER THE SAME.

(SEAL)

To All Who Shall See These Presents, Greeting:

Know ye, that I do license Andrew Jackson, esquire, to practice as an Attorney at Law in the several courts of law and equity in the State aforesaid, with all the privileges and emoluments thereof, or right pertaining.

Given under my hand and seal at Knoxville the 5th day of July 1796. (Signed) JOHN SEVIER.

By the Governor,
William McLin, Secretary."

Jackson was elected the first member of Congress from the new State. Congress met after his election December 5, 1796,

August 12th 1788

Sir

When a man's feelings & character are injured
he ought to seek a speedy redress: you see a few
lines from me yesterday & undoubtedly you understand
stand me my character you have injured: and further
you have induced me in the confidence of a court and
a large audience & therefore call upon you as a
gentleman to give me satisfaction for the
same: and I further call upon you to give me
an answer immediately without equivocation
and I hope you can do without dinner yet
till the business done: for it is consistent with
the character of a gentleman when he injures a man
to make ample reparation: therefore I hope you will
not fail in meeting me this day: from 4 or 5
Collo Avery

Andrew Jackson.

and we find him in Philadelphia, ready to take his seat and to attend the opening of the body.

As March 4, 1797, was to witness the final retirement of General Washington from the Presidency, the House of Representatives concluded that a farewell address to the President should be drawn up, and a Committee of five was appointed to prepare it, and on December 11, 1796, the address was in due form, and considered by the members of the House. Jackson voted with those who opposed the address, and in all of his subsequent political life, this vote was used, or attempted to be used, to his detriment. Sixty-seven representatives voted in favor of accepting the address, and twelve against it.

It is not difficult to account for Jackson's vote against the address to Washington. Jackson was a strong endorser of the extreme wing of the Jeffersonian party, and Washington, in sentiment, was far removed from that party. Jay's treaty was bitterly resented by the people West of the mountains for the reason that it did not grant the free navigation of the Mississippi River, and that river, in the absence of public highways, was the outlet of the trans-montane country, and the entire Mississippi Valley. The free navigation of the Mississippi River was the rock on which the political fortunes of territorial Governor William Blount were wrecked; everything that Blount did, for which he was expelled from the Senate, had that end in view.

Again, Washington's administration towards Tennessee after it became a State, was just about the same as the conduct of North Carolina when the Western country—now Tennessee—was an appendage of the Old North State. North Carolina never exhibited or had any affection for the Western people, but let them fight their own battles with the Indians as best they could. Washington's administration did the same thing, and if the civilization and upbuilding of the State of Tennessee and other parts of the Mississippi Valley, had depended on the good will or assistance of that administration, those sections of the country would very slowly have been built up. It is true Tennessee had become a State, but she was a step-child in the family of States.

Again, throughout the original thirteen States, and in the colonies before they became States, a feeling that while Washington was a patriot in the Revolutionary War and fought successfully for the freedom of the colonies, that at heart he was not in sympathy

with the personal fortunes of the great mass of the people; that he was not the friend of the poor man, or the average man.

It is not difficult to see, therefore, that in the light of these conditions, a man like Andrew Jackson who had sprung from the bottom round of life, and who possessed will power that feared nothing and stopped at nothing, should resent anything favorable to Washington or his administration, and so he voted against the adoption of the very flattering address which it was proposed should be sent to him.

Another indication of Jackson's political views was when he voted against an appropriation of money for Savannah, Georgia, that had been nearly destroyed by fire; this, evidently on the principle that the government had no authority to make such an appropriation; and it took the people of the United States decades to get to the point where they could feel justified in stretching the powers of Congress so as to authorize such appropriations.

Jackson voted against an appropriation for fourteen thousand dollars to purchase furniture for the new Presidential mansion; also against the removal of the restriction requiring the expenditure of public money to be strictly for the object for which it was appropriated. The latter vote was highly honorable, and if in the whole history of this republic the expenditures of public money had been in line with that vote, and just as honest as Jackson was himself in spending public money, hundreds of millions would have been saved to the people of the country, and that corruption in office which has been so frequently the heritage of the American people would very largely have been eliminated.

It is well known in Tennessee that John Sevier became practically a bankrupt by spending his private fortune for the equipment of soldiers against the Indians in the protection of the settlers of Tennessee. It was in connection with the repayment of Sevier by Congress for one of his expeditions that Jackson delivered the only speech he made while a member of Congress. Hugh Lawson White who was a member of Sevier's expedition when the Indian chief, King-Fisher, was killed, sent a petition asking for compensation for his services. The Secretary of War made a report on Mr. White's petition, dodged the question, and said that it was for the House of Representatives to decide whether or not the danger was great enough to justify Sevier in calling out and equipping his troops on the expedition in which King-Fisher was killed. This gave Repre-

sentative Jackson a chance to make his first speech, and we feel certain that Tennessee readers would like to read this first speech.

"I do not doubt that by a recurrence to papers presented, it will appear evident that the measures pursued on this occasion were both just and necessary. When it was seen that war was urged upon the State; that the knife and tomahawk were held over the heads of women and children; and that peaceable citizens were murdered, it was time to make resistance. Some of the assertions of the Secretary of War are not founded in fact, particularly with respect to the expedition having been undertaken for the avowed purpose of carrying the war into the Cherokee country. Indeed, those assertions are contradicted by a reference to General Sevier's letter to the Secretary of War. I trust it will not be presuming too much when I say that from being an inhabitant of the country, I have some knowledge of this business. From June to the end of October, the militia acted entirely in the defensive, when twelve hundred Indians came upon them and carried their station, and threatened to carry their seat of government. In such a state of things, would the Secretary upon whom the executive power rested in the absence of the Governor, have been justified had he not adopted the measure he did of pursuing the enemy? I believe he would not. I believe that the expedition was just and necessary, and that the claim of Mr. White ought to be granted. I therefore propose a resolution to the following effect:

"'RESOLVED, That General Sevier's expedition into the Cherokee Nation in the year 1793 was a just and necessary measure and that provision ought to be made by law for paying the expenses thereof.'"

It was proposed to refer the matter to the Committee on Claims and in opposition to this proposition Representative Jackson said:

"I own that I am not very well acquainted with the rules of the House, but from the best idea I can form, this would be a very circuitous mode of doing business. Why now refer it to the Committee on Claims, when all the facts are stated in this report, I know not. If this is the usual mode of doing business, I hope it will not be referred."

The claim of young White was not considered further that day, but on the next day it came up again, and Representative Jackson called up his resolution offered the day before, and made his second speech to the house.

"Already," said he, "rations found for the troops of this expedition have been paid for by the Secretary of War, and I can see no reasonable objection to the payment of the whole expense. As the troops were called out by the superior officer they had no right to doubt his authority. Admit a contrary doctrine, and it will strike at the very root of subordination. It would be saying to the soldiers:

"'Before you obey the command of your superior officer, you have a right to inquire into the legality of the services upon which

you are about to be employed, and until you are satisfied, you may refuse to take the field.' This, I believe, is a principle which cannot be acted upon. General Sevier was bound to obey the orders which he had received to undertake the expedition. The officers under him were obliged to obey him. They went with the full confidence that the United States would pay them, believing that the United States had appointed such officers as would not call them into the field without proper authority. If even the expedition had been unconstitutional, which I am far from believing, it ought not to affect the soldier, since he has no choice in the business, being obliged to obey his superior. Indeed, as the provisions have been paid for, and as the rations and payroll are always considered a check upon each other, I hope no objection will be made to the resolution which I have moved.

"By referring to the report it will be seen that the Secretary of War has stated that to allow the prayer of this petition would be to established a principle that will apply to the whole of the militia in that expedition. If this petitioner's claim is a just one, therefore, the present petition ought to go to the whole, as it is unnecessary for every soldier employed on that expedition to apply personally to this House for compensation."

James Madison made a speech on Jackson's side, and it was referred to a Committee of Five of which Jackson was made Chairman, who reported in favor of the amount being paid to Hugh Lawson White, and that the sum of \$22,816.00 be appropriated for all the troops on the expedition, which was carried into effect.

After Congress adjourned on March 3, 1797, we hear nothing more of Jackson in the House of Representatives.

Senator Blount having been expelled, Governor Sevier appointed Jackson to serve out the unexpired term in the United States Senate, and the new Senator got back to Philadelphia in the fall of 1797, and on the 22nd of November was sworn in. He took no part in the proceedings of the Senate, and in April, 1798, he went back to Nashville and tendered his resignation to the Governor.

It was while serving as a member of the House that he made the acquaintance of Edward Livingstone, then a member from New York, which acquaintance ripened into a life-long friendship that was never broken nor even shaken.

After resigning from the Senate, the Legislature elected him in 1798 a member of the Superior Court of Law and Equity at a salary of six hundred dollars, and he held this position for six years, and never wrote an opinion.

The newly elected Judge received from the State at the hands of Governor Sevier his judicial commission.

"STATE OF TENNESSEE

JOHN SEVIER, GOVERNOR IN AND OVER THE SAME.

To All Who Shall See These Presents, Greeting,

Know Ye, that Andrew Jackson, esquire, of Davidson County, Mero District, was on the 20th inst. December, by joint ballot of the Houses of the Legislature, duly elected one of the Judges of the Superior Court of law and equity in and for said States agreeably to the constitution thereof; and that in pursuance of the said constitution, I, the said John Sevier, do hereby commission the said Andrew Jackson one of the Judges of the Superior Courts of Law and equity aforesaid, to have and to hold the said office of one of the Judges of the Superior Courts of law and equity during good behavior, with all the powers and privileges or rights thereto pertaining.

Given under my hand and seal at Knoxville this 22nd December, 1798.

By the Governor, (Signed) JOHN SEVIER.
William McLin, Secretary."

Judge Jackson did not take the oath of office until the March term of the court, as evidenced by the following certificate from J. W. Aiken, Clerk of the Superior Court, towit:

"STATE OF TENNESSEE

WASHINGTON DISTRICT, MARCH TERM, 1799.

I, James Aiken, Clerk of the Superior Court of law of Washington District, in the State aforesaid, do certify that the Hon'ble Andrew Jackson appeared in open Court and produced the within Commission and took an oath to support the Constitution of the United States, State of Tennessee and also the oath of office required by law.

Given under my hand this 4th day of March A. D. 1799, and in the 23rd year of our Independence.

(Signed) J. W. AIKEN."

ENDORSED "THE COMMISSION OF THE HON'BLE AND'W JACKSON."

In 1801 Archibald Roane was Governor, and the office of Major General of Militia became vacant, a position which was eagerly sought. The office was filled by the field officers, and on the day of the election it was found that Judge Jackson and General Sevier had an equal number of votes, and it was left for the Governor to vote off the tie, which he did, by voting for and electing

Jackson. General Sevier was credited with having won thirty-five battles, and at the time of the election Jackson had never fought a battle, and Sevier was very much chagrined over his defeat. In addition to that, charges were bruited about that certain parties had procured fraudulent issues of land warrants, and that Governor Sevier had dealt in some of these fraudulent warrants. At the expiration of Roane's term, Sevier became a candidate for Governor and defeated him by a vote of 6,786 to 4,923, and while the campaign was going on, Jackson made public the charge against Sevier of dealing in fraudulent land warrants. This, of course, brought on great bitterness, and the matter was referred to the Legislature while Sevier was Governor, but no final action was taken against the Governor—the matter was allowed to die. Charges and counter-charges passed between Sevier and Jackson, with a challenge or two to fight a duel, made by Jackson and accepted by Sevier, but the friends of the two never allowed an actual shooting to occur between them. These differences occurred while Jackson was a Judge of the highest Court of the State, and Sevier the Governor of the State.

On July 24, 1804, Jackson resigned as Judge. On the purchase of Louisiana, he wanted to be appointed Governor of that new territory, but did not succeed in his aspiration.

He was now out of office, having resigned the position of Representative in Congress, Senator in Congress, and Judge of the highest Court in the State. He turned his attention strictly to business matters and evidently made up his mind to make a fortune. He had, during the years previous to his resignation, been buying up land which increased in value, so that the probabilities are that at this time, he was a man of very substantial means for that day. It is impossible to tell just how many thousands of acres he owned, but it is clear that he was a wealthy land owner. He is credited with owning one hundred and fifty slaves at this time, and he probably bought and sold slaves. He accepted slavery as an existing institution, just as every man in Tennessee at that time did, so that his owning or buying and selling slaves, was nothing more than was to be expected under existing conditions. He went into the business of raising fine stock, and was very successful. He became a merchant, and his credit in Philadelphia and other eastern cities, was gilt edged. He was one of the most successful and progressive farmers of the day, and displayed a business capacity that was surprising. He was a

devoted friend of the race track, raced his own horses, bet on horse races, made wagers on chicken fights, and very probably gambled some with cards, but his gambling was merely an incident in his career. He was devoted to the game of billiards. These pastimes were the order of the day, and nothing was thought of a man who participated in them. No man can be justly criticised who does not rise above his environment and the conditions about him; men who successfully attempt to elevate the conditions of their day are rare. Mankind has settled down to the opinion that a man who lives up to the average virtue and principles and conduct of his day and time, is entitled to the respect even of later years when different standards are demanded. In 1917 the race track has been abolished in Tennessee, fighting chickens is not recognized as a proper thing to do, gambling has been put under the ban of the law. Jackson did all of these things—and so did practically everybody else at that day who had any proclivity at all in the direction of sports, excitement or diversion.

Jackson fought a duel and killed Charles Dickinson. Dueling was one of the accepted customs not only at the date of the duel with Dickinson, but for years afterwards. Men who were opposed in principle, to duels, dared not refuse to accept a challenge when one was sent them. The brand of cowardice was put on any man who refused to fight on the field of Honor, and so dueling retained its life for years by reason of the moral cowardice of men who in principle, were opposed to it. It is surprising to the reader of today to learn the curious logic on which dueling was based. A simple illustration will make it plain: A man has done a wrong to another, for which that other feels that he must demand redress, so the injured party challenges the wrong-doer to fight. Under the rules of dueling each party selects a friend who is known as his "second," and the seconds regulate the conditions of the duel. The seconds prescribe the distance between the parties in the duel, and all the other conditions. They meet on the field, and at the word given, they proceed to fight. The fight may be with rifles, pistols, swords or bowie knives; the injured party may be slain, and the party committing the original wrong, be the victor, killing his antagonist. The logic of dueling justified this situation where the party doing the original injury does a second and greater injury by taking the life of the person first injured. From the standpoint of reason, logic and sense, all of this, of course, is preposterous. The party

originally injured receives a death wound, the original wrong-doer goes unhurt, the original wrong is not vindicated or expiated.

One justification offered for dueling was that it was just as fair for one as it was for the other, but this is manifestly untrue. Some men were braver than others, some better shots, some cooler, some more careless of life, some more vicious; no two men ever lived who had an exact equality of those qualities necessary to fight a duel. In every duel, therefore, inequalities that made success more certain for one than the other, existed; and the deficiency of successful dueling qualities was just as likely to be upon the side of the man who was the original injured party, as upon the other.

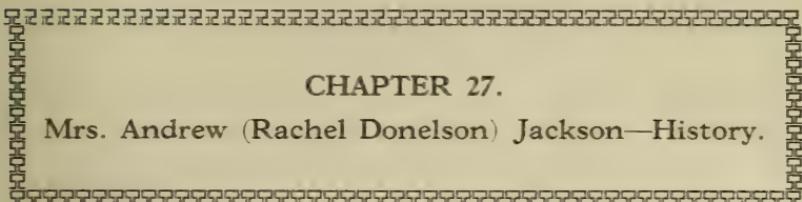
Finally the absurdity of the logic of the duel began to be accepted by men, moral courage became stronger, and the duel was abolished in Tennessee by act of the Legislature.

General Jackson's first country home was at Hunter's Hill, but he moved from there to the adjoining tract of land on which he built a two-story log house, and called it the "Hermitage," in which he entertained Aaron Burr. The mansion which he built in 1819 and which was considered a grand home at that time, was burned in 1834, and promptly rebuilt as it stands today, in care of the Ladies' Hermitage Association of Tennessee.

Burr was entertained at the Hermitage twice, and banquets were tendered to him by the citizens of Nashville. It is difficult for the reader of today to see in the conduct of Aaron Burr anything more reprehensible than the conduct of Sam Houston, with the backing of Andrew Jackson, in going to Texas while in a condition of revolution against Mexico, and assisting the Texans to throw off the Mexican yoke and annex themselves to the United States. One can hardly help thinking that politics was the cause of the condemnation of Aaron Burr, and that the charge was made, like other political charges, to get an advantage, and to crush an opponent. Governor William Blount was expelled from the United States Senate when the sum total of his guilt was an attempt to benefit the people of Tennessee, and the whole Mississippi Valley, by bringing about the free navigation of the Mississippi River.



MRS. ANDREW JACKSON



CHAPTER 27.

Mrs. Andrew (Rachel Donelson) Jackson—History.

The element of romance is woven into the warp and woof of Tennessee history in all departments of the life of the people from the earliest pioneer days. The romance of the pioneer days was, like all life of the time, thrilling, venturesome, novel, inspiring, and often glorious; and romance and fiction writers need not go elsewhere to find material that makes a universal appeal to men and women.

To prove this, let us go back to the flotilla of rude water craft that started on December 22nd, 1779, from Fort Patrick Henry, under command of Col. John Donelson, on a journey of reckless daring by water to Nashville, Tennessee. The craft was loaded with men, women and children, who were to constitute the first settlers of the State at Nashville. Among them was a young girl about thirteen years old, the daughter of Col. Donelson, Rachel by name, whom destiny, hungry for a victim to make unhappy, was to lead on to a life with unspeakable sad incidents in it, and which, while at times covered with clouds and storms, was always wholesome and upright and pure. The life of Rachel Donelson suggests that aged query that the sons and daughters of men have been asking ever since the days of the bliss and fall of Eden, namely: "Is the game of life worth the candle?" The imagination could not in 1779 picture the young girl of thirteen, becoming in 1828 an issue in a national election, upon whom all the artillery of party politics, firing hate and slander and denunciation and obloquy and perjury, was turned, in order to defeat her husband for president. Not by her will or by reason of any real wrong she had done was she made a sacrifice, in order that John Quincy Adams might, if possible, be re-elected President of the United States, but a sacrifice she was made. The politics of the day spared nothing and nobody. General Jackson's enemies controlled three-fourths of the newspapers of the country, and Mrs. Jackson was held by them to be legitimate game by which to control voters, if they could do it.

Rachel Donelson was born in Virginia in 1767, and was only a few months younger than General Jackson, and came to the Watauga region with her parents and family. It is one of the traditions over which we love to linger that she steered "the good boat Adventure" on the river journey to Nashville, when Indian attacks made it necessary for the men on board to use their guns in defense. The traditions in the Donelson family give us delightful glimpses of the girl and young lady down to the time she married Captain Louis Robards in the State of Kentucky, where her family had moved in the year 1781. Her nature as a child was lovable and genial, and threw life and sunshine all about her. She was the baby in her father's family and petted and humored, but never spoiled. She was of the brunette type, not very tall, but well built. As she grew and developed, she was mentally keen and bright, naturally cheerful and witty, an entertaining talker who told a story well, and of course was popular; she had talent as a musician, could sing and was very companionable among friends. A friend of a later day asked the question, "Can't you picture this happy hearted pioneer with all the promise of the future and life itself bubbling over in her breast?"

Like all of the women of the West of that day, and like a great majority of American women generally, she did not have extensive education. Schools were scarce in those pioneer days. She did not spell correctly always, and her grammar was open to criticism, but the same remark applied also to the general run of men. But the child, the girl, the woman, was sound to the core in every quality that makes for true, pure, upright and devoted womanhood.

After her family moved to Kentucky, in 1781, she met Captain Louis Robards, who had been a captain in the Revolutionary War, as had his brother also, and whose family had moved to Kentucky, where Captain Robards took up land for the script with which he was paid for his services in the War. All accounts represent him as educated, handsome, polished in manners and conversation, and possessed of those attributes supposed to attract women; and all accounts also are unanimous in representing him as high tempered and jealous. He was one of those men who could not get along with any woman very long at a time, and naturally he and his wife had many unhappy episodes

brought about by his temper and jealousy, and for no substantial cause on her part.

Pursuing the policy of letting an eye witness, if one could be found, tell of episodes or characteristics, in his own language, the author will quote in full the narrative of Judge John Overton, in reference to the troubles of Captain Robards and his wife, the connection of General Jackson therewith, and the subsequent marriage of General Jackson and Mrs. Robards; and also quote in full the statement of Mrs. Elizabeth Craighead, who was a life-long friend and neighbor of Mrs. Jackson. These narratives were made public in the presidential election of 1828 when the Adam's newspapers were applying to Mrs. Jackson all manner of offensive epithets, and when it became necessary for the Democrats and General Jackson to go into his private and domestic affairs, and make public all the facts leading up to his marriage. To the credit of the American people, be it said, that this is the only instance in our history where politics made such a course necessary. An approach to it was in the presidential election of 1884, when Republican newspapers charged Grover Cleveland with being the father of an illegitimate child, which charge Mr. Cleveland answered, by telling his friend to "tell the truth" about it, and which frank answer took all of the sting out of the charge and Cleveland was elected. This was followed up by the Democrats making a similar charge against James G. Blaine, who ran against Cleveland, which sent investigators to the tombstones in a cemetery in the State of Maine to ascertain the date of a child's birth and death, there buried. Since the 1884 campaign it seems to be the wish of both political parties to keep up out of the mud.

NARRATIVE OF JUDGE OVERTON.

"In the fall of 1787, I became a boarder in the family of Mrs. Robards, the mother of Lewis Robards, in Mercer County, Kentucky; Captain Robards and his wife then lived with old Mrs. Robards.

"I had not lived there many weeks before I understood that Captain Robards and his wife lived very unhappily, on account of his being jealous of Mr. Short. My brother, who was a boarder, informed me that great uneasiness had existed in the family for some time before my arrival. As he had the confidence and good will of all parties, a portion of this confidence fell to my share, particularly the old lady's, than whom, perhaps, a more amiable woman never lived. The uneasiness between Captain Robards and the lady continued to increase, and with it great

distress of the mother, and considerably with the family generally; until early in the year 1788, as well as now recollect, I understood from the old lady, and perhaps others of the family, that her son Lewis had written to Mrs. Robards' mother, the widow Donelson, requesting that she would take her home, as he did not intend to live with her any longer. Certain it is that Mrs. Robards' brother, Samuel Donelson, came up to carry her down to her mother's, and my impression is, in the fall or summer of 1788. I was present when Mr. Samuel Donelson arrived at Mrs. Robards', and he started away with his sister; and my clear and distinct recollection is that it was said to be a final separation at the instance of Captain Robards; for I well recollect the distress of old Mrs. Robards, on account of her daughter-in-law, Rachel, going away, and on account of the separation that was about to take place, together with the circumstances of the old lady's embracing her affectionately. In unreserved conversations with me, the old lady always blamed her son, Lewis, and took the part of her daughter-in-law.

"During my residence in Mrs. Robard's family, I do not recollect to have heard any of the famliy censure young Mrs. Robards on account of the difference between her husband and herself; if they thought otherwise, it was unknown to me; but recollect frequently to have heard the old lady and Captain Jouett, who married the eldest daughter of the family, at that time, express the most favorable sentiments of her.

"Having finished my studies in the winter of '88-9, it was determined to fix my residence in the country now called West Tennessee. Previously to my departure from Mrs. Robards', the old lady earnestly entreated me to use my exertions to get her son, Lewis, and daughter-in-law, Rachel, to live happily together.

"Their separation for a considerable time had occasioned her great uneasiness, as she appeared to be much attached to her daughter-in-law, and she to her; Captain Lewis Robards appeared to be unhappy, and the old lady told me he regretted what had taken place, and wished to be reconciled to his wife. Before I would agree to concern myself in the matter, I determined to ascertain Captain Robards' disposition from himself, and took occasion to converse with him on the subject, when he assured me of his regret respecting what had passed; that he was convinced his supicions were unfounded; that he wished to live with his wife, and requested that I would use my exertions to restore harmony.

"I told him I would undertake it, provided he would throw aside all nonsensical notions about jealousy, for which I was convinced there was no ground, and treat his wife kindly as other men. He assured me it would be so; and it is my impression now that I received a message from old Mrs. Robards to Mrs. Lewis Robards, which I delivered to her on my arrival at her mother's, where I found her some time in the month of February, or March, 1789.

The situation of the country induced me to solicit Mrs. Donelson to board me, good accommodations and boarding being rarely to be met with, to which she readily assented.

"Mr. A. Jackson had studied the law at Salisbury, N. C., as I understood, and had arrived in this country in company with Judge McNairy, Bennet, Searcy, and perhaps David Allison, all lawyers seeking their fortunes, more than a month or two before my arrival. Whether Mr. Jackson was at Mrs. Donelson's when I first got there in March, 1789, I cannot say; if he was, it must have been but a little time. My impression now is that he was not living there, and having just arrived, I introduced him into the family as a boarder, after becoming acquainted with him. So it was we commenced boarding there about the same time; Jackson and myself, our friends and clients, occupying one cabin and the family another, a few steps from it.

"Soon after my arrival, I had frequent conversations with Mrs. Lewis Robards, on the subject of living happily with her husband. She with much sensibility, assured me that no effort to do so should be wanting on her part; and I communicated the result to Captain Robards and his mother, from both of whom I received congratulations and thanks.

"Captain Robards had previously purchased a preemption in this country on the south side of Cumberland River, in Davidson County, about five miles from where Mrs. Donelson then lived. In the arrangement for a reunion between Captain Robards and his wife, I understood it was agreed that Captain Robards was to live in this country instead of Kentucky; that until it was safe to go on his own land, which was yearly expected, he and his wife were to live at Mrs. Donelson's. Captain Robards became reunited to his wife some time in the year of 1788. Both Mr. Jackson and myself boarded in the family of Mrs. Donelson—lived in the cabin room and slept in the same bed. As young men of the same pursuits and profession, with but few others in the country with whom to associate, besides sharing, as we frequently did, common dangers such an intimacy ensued as might reasonably be expected.

"Not many months elapsed before Robards became jealous of Jackson, which I felt confident was without the least ground. Some of his irritating conversations on this subject, with his wife, I heard amidst the tears of herself and her mother, who were greatly distressed. I urged to Robards the unmanliness of his conduct, after the pains I had taken to produce harmony, as a mutual friend of both families, and my honest conviction that his suspicions were groundless. These remonstrances seemed not to have the desired effect. As much commotion and unhappiness prevailed in the family as in that of Mrs. Robards in Kentucky. At length, I communicated to Jackson the unpleasant situation of living in a family where there was so much disturbance, and concluded by telling him that we would endeavor to get some other place. To this he

readily assented; but where to go we did not know. Being conscious of his innocence, he said he would talk to Robards.

"What passed between Captain Robards and Jackson, I do not know, as I was absent somewhere, not now recollect, when the conversation and results took place, but returned soon afterwards. The whole affair was related to me by Mrs. Donelson, the mother of Mrs. Robards, and, as well as I recollect, by Jackson himself. The substance of their account was, that Mr. Jackson met Captain Robards near the orchard fence, and began mildly to remonstrate with him respecting the injustice he had done his wife, as well as himself. In a little time Robards became violently angry and abusive, and threatened to whip Jackson; made a show of doing so, etc. Jackson told him he had not bodily strength to fight him, nor would he do so, feeling conscious of his innocence, and retired to his cabin, telling him at the same time, that, if he insisted on fighting, he would give him gentlemanly satisfaction, or words to that effect. Upon Jackson's return out of the house, Captain Robards said he did not care for him nor his wife—abusing them both; that he was determined not to live with Mrs. Robards. Jackson retired from the family, and went to live at Mansker's station. Captain Robards remained several months with his wife, and then went to Kentucky in company with Mr. Thomas Cruthers and probably some other persons.

"Soon after this affair Mrs. Robards went to live at Colonel Hay's, who married her sister. After a short absence, I returned to live at Mrs. Donelson's, at her earnest entreaty—every family then desiring the association of male friends as a protection against the Indians. This took place, to the best of my recollection, in the spring of 1790.

"Some time in the fall following there was a report afloat that Captain Robards intended to come down and take his wife to Kentucky. Whence the report originated I do not now recollect, but it created great uneasiness both with Mrs. Donelson, and her daughter, Mrs. Robards—the latter of whom was much distressed, as she was convinced, after two fair trials, as she said, that it would be impossible to live with Captain Robards; and of this opinion was I, with all those I conversed with who were acquainted with the circumstances. Some time afterward, during the winter of 1791, Mrs. Donelson's told me of her daughter's intention to go down the river to Natchez, to some of their friends, in order to keep out of the way of Captain Robards, as she said he had threatened to 'haunt her.' Knowing as I did, Captain Robard's unhappy, jealous disposition, and his temper growing out of it, I thought she was right to keep out of the way, though I do not believe that I so expressed myself to the old lady or to any other person.

"The whole affair gave Jackson great uneasiness, and this will not appear strange to one as well acquainted with his character as I was. Continually together during our attendance on wilderness courts, whilst other young men were indulging in familiarities with

females of relaxed morals, no suspicion of this kind of the world's censure ever fell to Jackson's share. In this, in his singularly delicate sense of honor, and in what I thought his chivalrous conceptions of the female sex, it occurred to me that he was distinguished from every other person with whom I was acquainted.

"About the time of Mrs. Donelson's communication to me respecting her daughter's intention of going to Natchez, I perceived in Jackson symptoms of more than usual concern. I determined to ascertain the cause, when he frankly told me that he was the most unhappy of men, in having innocently and unintentionally been the cause of the loss of peace and happiness of Mrs. Robards, whom he believed to be a fine woman. In this I concurred with him, but remonstrated on the propriety of his not giving himself any uneasiness about it. It was not long after this before he communicated to me his intention of going to Natchez with Colonel Stark with whom Mrs. Robards was to descend the river, saying that she had no friend or relation that would go with her or assist in preventing Stark and his family and Mrs. Robards from being massacred by the Indians, then in a state of war and exceedingly troublesome. Accordingly, Jackson, in company with Mrs. Robards and Colonel Stark, a venerable and highly esteemed old man, and friend of Mrs. Robards, went down the river from Nashville to Natchez, some time in the winter or spring of 1791. It was not, however, without the urgent entreaties of Colonel Stark, who wanted protection from the Indians, that Jackson consented to accompany them; of which I had heard before Jackson's conversation with me already alluded to.

"Previously to Jackson's starting, he committed all his law business to me, at the same time assuring me, that as soon as he should see Colonel Stark and family and Mrs. Robards situated with their friends in the neighborhood of Natchez, he would return and resume his practice. He descended the river, returned from Natchez to Nashville, and was at the Superior Court in the latter place in May, 1791, attending to his business as a lawyer and solicitor general for the government. About, or shortly after this time, we were informed that a divorce had been granted by the Legislature of Virginia, through the influence, principally, of Captain Robards' brother-in-law, Major John Jouett, who was probably in the Legislature at that time.

"This application had been anticipated by me. The divorce was understood by the people of this country to have been granted by the Legislature of Virginia in the winter of 1790-1791. I was in Kentucky in the summer of 1791, remained at old Mrs. Robards', my former place of residence part of my time, and never understood otherwise than that Captain Robards' divorce was final, until the latter part of the year 1793. In the summer of 1791, General Jackson went to Natchez, and, I understood, married Mrs. Robards, then believed to be freed from Captain Robards, by the divorce in the fall of 1791. They returned to Nashville

and settled in the neighborhood of it, where they have lived ever since, beloved and esteemed by all classes.

"About the month of December, 1793, after General Jackson and myself had started to Jonesborough, in East Tennessee, where he practiced law, I learned for the first time that Captain Robards had applied at Mercer Court, in Kentucky, for a divorce, which had then recently been granted, and that the Legislature had not absolutely granted a divorce, but left it for the court to do. I need not express my surprise, on learning that the act of the Virginia Legislature had not divorced Captain Robards. I informed General Jackson of it, who was equally surprised; and during our conversation, I suggested the propriety of his procuring a license on his return home, and having the marriage ceremony again performed, so as to prevent all future caviling on the subject.

"To this suggestion, he replied, that he had long since been married on the belief that a divorce had been obtained, which was the understanding of every person in the country; nor was it without difficulty he could be induced to believe otherwise.

"On our return home from Jonesboro, in January, 1794, to Nashville, a license was obtained, and the marriage ceremony performed.

"The slowness and inaccuracy with which information was received in West Tennessee at that time will not be surprising, when we consider its isolated and dangerous situation, surrounded on every side by the wilderness, and by hostile Indians, and that there was no mail established till about 1797, as well as I recollect.

"Since the year 1791, General Jackson and myself have never been much apart, except when he was in the army. I have been intimate in his family, and from the mutual and uninterrupted happiness of the General and Mrs. Jackson, which I have at all times witnessed with pleasure, as well as those delicate and polite attentions which have ever been reciprocated between them, I have been long confirmed in the opinion that there never existed any other than what was believed to be the most honorable and virtuous intercourse between them. Before their going to Natchez I had daily opportunities to being convinced that there was none other; before being married in the Natchez Country, after it was understood that a divorce had been granted by the Legislature of Virginia, it is believed there was none."

STATEMENT OF MRS. CRAIGHEAD.

"Mr. Craighead and myself came to this country about forty-two years ago, and Mrs. Donelson, the mother of Mrs. Jackson, and family, came and settled at the Clover Bottom, in Davidson County, Tennessee, the same year. With the family of Mrs. Donelson, I was well and intimately acquainted—indeed, my family had a knowledge of the Donelson connection for about

seven years. The whole family were respectable, and I lived in habits of intimacy with Mrs. Donelson during her life, and with Mrs. Jackson nearly forty years. The character of Mrs. Donelson, the mother of Mrs. Jackson, was without blemish, and her standing in society was inferior to that of no lady in the country. She respected religion while she lived and died in the hope of a happy hereafter.

"Mrs. Jackson, then Mrs. Robards, was brought to this country from Kentucky by one of her brothers a few years after the family had settled themselves here, in consequence, as I understood, of the cruel treatment of her husband, who was said to be a man of jealous disposition and vicious habits. This was manifested by the suspicions he entertained of the improper conduct of his wife. At the time she lived with him, at the house of his mother in Kentucky, an attorney of the name of Short, also boarded with the old lady. With regard to the unhappy difference which took place between Robards and his wife, it was believed that it arose from the circumstance of Short's living in the same family of Mrs. Robards and showing her perhaps a little more than ordinary politeness. James Brown, my brother, who is now in Paris, France, came to this country shortly after Mrs. Robards arrived from Kentucky, and, speaking of her deeply regretted her misfortunes. He said that he believed her to be a chaste and virtuous woman, and gave as a reason for thinking so, that he was intimate with Mr. Short, and had conversed with him particularly in respect to Mrs. Robards—that he assured him in the strongest and most solemn terms that Mrs. Robards was a worthy, virtuous woman, and that the suspicions of her husband were entirely unfounded, cruel and ungenerous.

"Mrs. Robards, after having been driven from her mother-in-law's by the cruel treatment of her husband, Captain Robards, lived with her mother, Mrs. Donelson, several years, and conducted herself with the greatest propriety, entirely withdrawing herself from all places of public amusement, such as balls, parties, etc. About two years after his wife left Kentucky Robards came to this country for the purpose of being reconciled to her. He made every acknowledgment, and appeared to be quite penitent for his past conduct, stating, as I understood at the time, that he did not blame his wife for leaving him and coming to live with her mother. Shortly after his arrival, by the interference of friends and acquaintances, she agreed to live with him on condition that he would settle himself in her mother's neighborhood, to which he gave consent and actually purchased a tract of land. After they became reconciled, Mrs. Donelson for the first time took into her house as boarders several young gentlemen, there being then few if any regular boarding houses or taverns, among whom were Judge Overton and General Jackson. Having agreed to live together, Robards went back to Kentucky for the purpose of moving his property to this country. Upon his return, having

found General Jackson in the family, his jealousy appeared to revive. This was more particularly manifested towards General Jackson in consequence, I suppose, of his gay, sprightly disposition and courteous manners. From my acquaintance with Mrs. Jackson I have no hesitation in stating it as my firm belief that his suspicions were entirely groundless. No lady ever conducted herself in a more becoming manner during the whole of that period. I have lived in a few miles of Mrs. Jackson ever since that time (with the exception of about two years), and have been intimate with her, and can say that no lady maintains a better character or is more exemplary in her deportment or more beloved by her friends and neighbors.

"ELIZABETH CRAIGHEAD."

When the election news of 1828 made it certain that General Jackson was elected President, Mrs. Jackson made one comment that has lived down to our day, and will continue to live along with the memory of Andrew Jackson. She said, "Well, for Mr. Jackson's sake, I am glad; for my own part, I never wished it." She was at that time sixty-one years old and not in good health, and died on December 22d following the election in November. We do not have to travel very far or to search very deep to find the reason why one American woman did not care to be the "first lady in the land," and preside at the White House. Her health was one thing, but another and far more influential thing was that having been made a party defendant, so to speak, in a presidential election, with all of its virulence and infamy, and knowing that in the White House she would be "in that fierce light that beats upon a throne," the woman shrank back, and who could blame her for so doing. Bringing her into the presidential election of 1828 was one of the many infamous things in America politics, and from further assaults upon her personal appearance, education and character she was saved by the Grim Reaper that took her into a country where presidential politics are not supposed to be. General Jackson's devotion to her was supreme. He built her a church in a few hundred yards of the Hermitage, and always and everywhere showed her an affection that caused general admiration. After the battle of New Orleans, she went by steamboat with the adopted son, Andrew Jackson, Jr., to New Orleans, and there in the midst of the most select society in America, at that time, and when Jackson was living in a blaze of martial glory, his devotion to her was as pronounced as ever. Whatever might be her defects of education, or otherwise, her husband did not

see them, and he showed to the world that to him she was the first and best woman in the world. This devotion to his wife is one of the things that has brought "Old Hickory's" memory down to us portrayed in colors that will endure.

GOVERNOR WISE COMES TO TENNESSEE.

In August, 1828, a young man twenty-two years old, with a law license in his pocket, left his home on the eastern shore of Virginia, on his way to Nashville, Tennessee, to be married, and, as he then thought, to be there settled for life. The young man was Henry A. Wise, who afterwards held various high positions, and was Governor of Virginia. On October 8th, following, he was married in Nashville to the daughter of Dr. O. Jennings, the Presbyterian pastor of Andrew Jackson, and as General and Mrs. Jackson were warm friends of Dr. Jennings, the General promptly commanded that the bride and groom should spend their honeymoon at the Hermitage, which invitation was accepted, and they went to the Hermitage the next day. Henry A. Wise, the bridegroom, was born in Virginia, December 3, 1806, and died at Richmond, Va., September 12, 1876. He was a Democratic member of Congress from Virginia 1833-1844; United States Minister to Brazil 1844-1847; elected on the Anti-Know-Nothing ticket Governor of Virginia, and served 1856-1860; opposed Secession, but followed his State into the Confederacy, and became Brigadier-General in the Confederate Army.

In his political career, Governor Wise was generally Democratic, but he never wore the party harness closely, and was accustomed to criticise men and measures on his own side whenever he thought criticism was due. He was a man of high intellectual power, had a college education, was bold and self-reliant in all of his actions, and there is probably due him more for the overthrow of the Know-Nothing party than any other one man in America. His canvass for Governor of Virginia was for the purpose of crushing Know-Nothingism, and he succeeded, and the party died after Wise was elected Governor, and has never been resurrected since.

When he was about sixty-five years of age, with a long, active and distinguished public career behind him, and with a maturity of experience that made his opinions valuable, he wrote a book entitled, "Seven Decades of the Union," which covers the period in our national life from 1790 to 1862, and which contains his-

torical matter not to be found in any other work. The book is unique in the penetrating light it throws upon many men and events in the period it covers; it speaks from personal knowledge and actual observation. He was a close observer and admitted to confidential relations in Tyler's administration, and was on intimate terms with General Jackson and his family. The opinions of Governor Wise, therefore, of General Jackson and Mrs. Jackson and their household at the Hermitage, give us with photographic accuracy just what he saw there in the happy days of his honeymoon as the guest of "Old Hickory."

Considering Governor Wise's book as the very highest and best authority as to the Hermitage and its inmates, free quotations will be made from it. In getting material for this work we have consulted some twenty thousand pages of books, magazines and pamphlets, as well as old newspapers and letters, for the purpose of finding out, if possible, the real Andrew Jackson, the real Rachel Donelson Jackson, the real Hermitage, and what went on there, and Governor Wise's picture of them all is the best. And to ascertain how accurate his picture is, let the reader peruse carefully everything he says, and note the details of the scene he lays before us of life at a country home near Nashville eighty-nine years ago.

Governor Wise's book was published in 1872, and is out of print. The author knows of but three copies of it, one in the Congressional Library at Washington, and one in the Lawson McGhee Library at Knoxville, and one belonging to the author. Another edition ought to be brought out by somebody, and in order that at least the part here quoted may be revived, it will be laid before the reader just as Governor Wise wrote it.

GOVERNOR WISE ON GEN. AND MRS. JACKSON.

"His presence immediately struck us by its majestic, commanding mien. He was about six feet high, slender in form, long and straight in limb, a little rounded in the shoulders, but stood gracefully erect. His hair, not then white, but venerably gray, stood more erect than his person; not long, but evenly cut, and each particular hair stood forth for itself a radius from a high and full-orbed head, chiseled with every mark of massive strength; his brow was deep, but not heavy, and underneath its porch of the cranium were deep-set, clear, small, blue eyes, which scintillated a light of quick perception like lightning, and then there was no fierceness in them. His cheek-bones were strong, and his jaw was rather 'lantern,' the nose was straight, long

and Grecian; the upper lip, the only heavy feature of his face, and his nasal muscle somewhat ghastly and ugly, but his mouth showed rocklike firmness, and his chin was manly as that of Mars. His teeth were long, as if the alveolar process had been absorbed, and were loose, and gave an ugly, ghastly expression to his nasal muscle. His chest was flat and broad. He was unreserved in conversation, talked volubly and with animation, somewhat vehement and declamatory, though with perfect dignity and self-possession. He evidently wished to impress himself upon his visitors, but without any air of affectation, and his intent manner asserted his superiority. He hesitated not to dissent from any remark or opinion which called for contradiction; but he was extremely polite, though positive, in the extreme. He knew Dr. Wylie, and had the highest respect for his character and reverence for his religious profession of the Presbyterian faith. We were not awed by his presence, but intently studied him, and we augured his greatness from his looks and words, which drew us close up to him.

"We arrived at the Hermitage to dinner, and were shown to a bridal chamber magnificently furnished with articles which were the rich and costly presents of the city of New Orleans to its noble defender.

"Had we not seen General Jackson before, we would have taken him for a visitor, not the host of the mansion. He greeted us cordially, and bade us feel at home, but gave us distinctly to understand that he took no trouble to look after any but his lady guests; as for the gentlemen, there were the parlor, the dining-room, the library, the sideboard and its refreshments; there were the servants, and, if anything was wanting, all that was necessary was to ring. He was as good as his word. He did not sit at the head of his table, but mingled with his guests, and always preferred a seat between two ladies, obviously seeking a chair between different ones at various times. He was very easy and graceful in his attentions; free, and often playful, but always dignified and earnest, in his conversation. He was quick to perceive every point of word or manner, was gracious in approval, but did not hesitate to dissent with courtesy when he differed. He obviously had a hidden vein of humor, loved aphorism, and could politely convey a sense of smart travesty. If put upon his metal, he was very positive, but gravely respectful. He conversed freely, and seemed to be absorbed in attention to what the ladies were saying, but if a word of note was uttered at any distance from him audibly, he caught it by a quick and pertinent comment, without losing or leaving the subject about which he was talking to another person—such was his ease of sociability without levity or lightness of activity, and without being oracular or heavy in his remarks. He had great power of attention and concentration, without being prying, curt, or brusque. Strong good sense and warm kindness of manner put every word of his

pleasantly and pointedly in its right place. He conversed wonderfully well, and at times pronounced incorrectly and misused words; and it was remarkable, too, that when he did so it was with emphasis on the error of speech, and he would give it a marked prominence in diction.

"The first or second evening of our stay, Mr. Lee had drawn around him his usual crowd of listeners; but we were the more special guest of Mrs. Jackson. She was a descendant of Colonel Charles Stokely, of our native county, Accomack, Virginia, and we had often seen his old mansion, an old Hanoverian hip-roofed house, standing on the seaside, not far from Metompkin; and she had often heard her mother talk of the old Assawaman Church, not far above Colonel Stokely's house, pulled down long before our day, endowed with its silver communion-service by our great-grandfather, George Douglass, Esq., of Assawaman. Thus she was not only a good Presbyterian, whose pastor's daughter was the bride, and she a Presbyterian too, but the groom was from the county of her ancestors, in Virginia, and could tell her something about traditions she had heard of the family from which she sprung. With pious devotion to her mother's family, she desired to have a talk with us particularly, and formed a cosy group of quiet chat in the northeast corner room leading to the garden. The room had a north window, diagonal from the door leading to the garden. At this door her group was formed, fronting, in a semicircle, this north window of the room, the garden door on our right. First, on our right, next the window, was old Judge Overton, one of General Jackson's earliest and best friends. He was a man who had made his mark in law and politics, but was not pious and was a queer-looking little old man. Small in stature, and cut into sharp angles, at every salient point, a round, prominent, gourd-like, bald cranium, a peaked, Roman nose, a prominent, sharp, but manly chin, and he had lost his teeth and swallowed his lips. 'There was danger,' as Mr. Phillip Doddridge once said of his own nose and chin, 'of their coming together, for many sharp words had passed between them!' Next to him, on his left, sat General Jackson, his hair always standing straight up and out, but he in his mildest mood of social suavity; on his left the Reverend Dr. Jennings, one of the sweetest men in society, very distinguished as a lawyer first, and then as a divine, with a rare sense of humor which even his religious zeal could not always repress, and yet awfully earnest and severe against all levity; on his left was Mrs. Jackson, a lady who, doubtless, was once a form of rotund and rubicund beauty, but now was very plethoric and obese, and seemingly suffered from what was called phthisis, and talked low but quick, with a short and wheezing breath, the very personation of affable kindness and of a welcome as sincere and truthful as it was simple and tender; on her left was ourself, responding to her every inquiry about things her mother had handed down concerning the Stokely

family. On our left sat Henry Baldwin, the son of Judge Baldwin, of the Supreme Court of the United States, one of the grooms-men, a gentleman of fine culture, good sense, and taste; and on his left was sweet Mary ——, one of the bridesmaids. Thus the *dramatis personae* sat in the scene.

"General Jackson was elected President in the fall of 1828. His domestic life had been scanned and scoured, and his beloved and honored wife had been most malignantly reviled and tortured by the forked tongues of his political opponents. She was happy in his love, and never aspired to the splendor of his fortune in life. She had fled to his manhood for protection and peace, and had been sheltered and saved by his gallant championship of the cause of woman. He, and he alone, was her all, and of him it may be truly said that, in respect to 'wassail, wine, and woman,' he was one of the purest men of his day, and that, too, in an age of rude habits and vulgar dissipation among the rough settlers of the West. He was temperate in drink, abstemious in diet, simple in tastes, polished in manners, except when aroused, and always preferred the society of ladies, with the most romantic, pure, and poetic devotion. He was never accused of indulging in any of the grosser vices, except that in early life he swore, horse-raced, and attended cock-fights. As for the wife of his bosom, she was a woman of spotless character, and an unassuming, consistent Christian: yet political rancor bitterly assailed her, and not content with defamation, endeavored to belittle her by the contemptuous appellation of 'Aunt Rachel,' and held her up to ridicule for 'smoking a corn-cob pipe.' She did prefer that form, not for the pleasure of smoking, but because a pipe was prescribed by her physician for her phthisis; and she often rose in the night to smoke for relief. In a night of December, 1828, she rose to smoke, and caught cold whilst sitting in her night clothes; and the story is that her system had been shocked by her overhearing reproaches of herself whilst waiting in a parlor at the Nashville Inn. She had said to a friend, upon the election of her husband, 'For Mr. Jackson's sake, I am glad; for my own part, I never wished it. I assure you I had rather be a door-keeper in the house of my God than to live in that palace in Washington.' She was not allowed to live 'in that palace in Washington.' Before the day of her husband's inauguration at the White House she was taken by her God to that 'house not made with hands, eternal in the heavens.'

Between two and three months after Governor Wise and his bride had left the Hermitage and gone back to Nashville, Mrs. Jackson was suddenly taken ill, and in a little while died, and the Governor paints the picture of the funeral:

"Preparations were being made in Nashville to give him and his lady a grand reception and celebration of the anniversary

of this his lucky day, and all eyes were bent towards the Hermitage to see the conquering hero, the then President, come with his cherished wife at his side, when lo! a messenger on 'the White Horse' was seen, riding fast, to announce that his partner was —dead. She was no longer the afflicted, deserted one, whom he had championed and married and lived with in holy and lawful wedlock. She was no longer his angel bosom partner; she was no longer a target for this world's fiery darts of detraction—she was a saint. The day's gladness was turned to earthly mourning, and the day of the funeral came instead of the day of feasting.

"Dr. Heiskell, of Winchester, Virginia, was just starting as a young physician in the neighborhood of the Hermitage, and was the first to minister to her relief, and attended until two eminent physicians were called in from Nashville. From him we learned that she had caught cold, and pleuritic symptoms supervened upon her constitutional nervous affections. She was sitting smoking her corn cob pipe when she caught her last malady.

"The day of burial came and we witnessed the solemn scene. This we can confidently testify that more sincere homage was done to her *dead* than was ever done to any woman in our day and country *living*. Thousands from the city and from all the country flocked to her funeral. The poor white people, the slaves of the Hermitage and adjoining plantations, and the neighbors, crowded off the gentry of town and country, and filled the large garden in which the interment took place. She had been a Hannah and a Dorcas to every needy household. She had been more than mistress, a mother to her servants and dependents; and the richest and best were proud of the privilege of her sincere and simple friendship. She was, without question, loved and honored by high and low, white and black, bond and free, rich and poor, and that love was so unaffectedly expressed by a wail so loud and long that there was no mistaking its grief for the loss, not of the departed one, but of the living left behind her. From that same door of the northeast room of the house near which the happy bridal party sat but a few months before, her coffin was borne to the grave dug in the garden for her remains.

"Following the pall-bearers came General Jackson, with his left hand in the arm of General Carroll, holding his cane in his right hand, not grasping it with the hand over the head, nor with the thumb up, but with the back of the hand up, and holding the point of the cane forward as he would have held a sword, and where he stopped at the pile of clay, its point rested on the clods.

"The body was let down, 'dust to dust' was said, the grave was filled up and shaped into the common mound which covers poor mortality, and General Jackson was led away by General Carroll back to the northeast room. The crowd followed, and we got in near to the chief mourner. Arriving fairly into the

room, and pausing for a few moments, he looked around him, and raising his voice said:

"Friends and neighbors, I thank you for the honor you have done to the sainted one whose remains now repose in yonder grave. She is now in the bliss of heaven, and I know that she can suffer here no more on earth. That is enough for my consolation; my loss is her gain. But I am left without her, to encounter the trials of life alone. I am now the President-elect of the United States, and in a short time must take my way to the metropolis of my country; and, if it has been God's will, I would have been grateful for the privilege of taking her to my post of honor and seating her by my side; but Providence knew what was best for her. For myself, I bow to God's will, and go alone to the place of new and arduous duties, and I shall not go without friends to reward, and I pray God that I may not be allowed to have enemies to punish. I can forgive all who have wronged me, but will have fervently to pray that I may have grace to enable me to forget or forgive any enemy who has ever maligned that blessed one who is now safe from all suffering and sorrow, whom they tried to put to shame for my sake!"

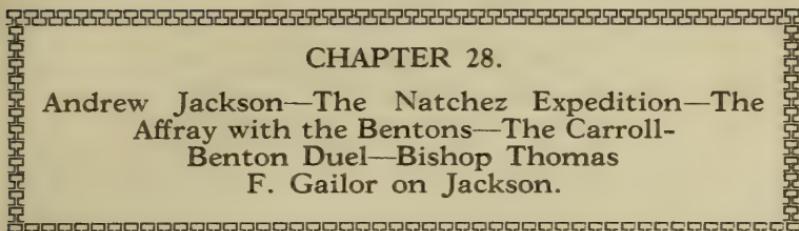
May the author be pardoned if he joins Governor Wise in rescuing from oblivion his kinsman, Dr. Heiskell, who was the first physician to attend Mrs. Jackson? His full name was Dr. Henry Lee Heiskell, and he was born in Winchester, Virginia, March 16, 1803, and graduated in medicine at the University of Pennsylvania in 1828. General Jackson appointed him Assistant Surgeon in the United States Army on July 13, 1832, and he served in the Seminole War in 1835-1837. On July 7, 1838, he was appointed a surgeon in the army with the rank of Major and was assigned as Assistant to Surgeon-General Lawson. On June 9, 1842, he married Elizabeth Gouverneur of New York, granddaughter of President James Monroe. He died August 12, 1855.

MRS. JACKSON'S CHURCH.

General Jackson built a church for his wife in 1823, on the Hermitage Farm, a short distance from the Mansion, and Mrs. Jackson joined the church in 1824 when she was fifty-seven years old. From time to time, down to her death in December, 1828, she urged General Jackson to join her church, and his answer has come down to us. He told her that he could not join the church then, for if he did, it would be said all over the country by his enemies that he had joined for political effect, but that when he was clear of politics, he would join the church, and he made his word good. There is no one thing in the life of "Old

Hickory" more characteristic than this; and for nothing do we accord him more sincere respect. The reason given to his wife demonstrates that there was no hypocrisy in his makeup, and that he would not place himself in the attitude where his enemies could charge hypocrisy on him, however sincere his joining the church might be. He went out of the presidential office in 1837, and in 1839 joined the Hermitage Church. After the death of Mrs. Jackson the church was not able to sustain itself, although it had been incorporated into the Presbytery; but after the General joined, it was reorganized and rendered effective church service down to the time of his death.

Only one funeral has ever been preached in the Hermitage Church, and that was the funeral of Colonel Andrew Jackson, III, who was born and raised at the Hermitage; graduated at West Point; was a Colonel in the Confederate Army, serving at Vicksburg, and died at Knoxville, Tennessee, December 16th, 1906. It would seem perfectly in accord with the fitness of things that a Jackson or a Donelson should be buried from the Hermitage Church.



CHAPTER 28.

Andrew Jackson—The Natchez Expedition—The Affray with the Bentons—The Carroll-Benton Duel—Bishop Thomas F. Gailor on Jackson.

The War of 1812 began with the declaration of hostilities by the United States June 12, 1812, and on June 25th, through Willie Blount, Governor of Tennessee, General Jackson offered to the President his services as Major-General of Tennessee militia and twenty-five hundred Tennessee volunteers. On July 11 the Secretary of War replied and accepted the offer and in his reply to Governor Blount, he paid Jackson the compliment of saying, "In accepting their services the President cannot withhold an expression of his admiration of the zeal and ardor by which they are animated." On October 21st, Governor Blount was requested by the government to send fifteen hundred of the Tennessee volunteers to the aid of General Wilkinson at New Orleans, and on November 1st the Governor ordered General Jackson to comply with the government's commands.

Jackson now entered upon the military career for which he thought himself fitted by nature and for which he ardently wished. At the time he defeated John Sevier for Major General of the Tennessee militia by the casting vote of Governor Roane, he had taken little, if any, part in military matters, and this, connected with the fact that Sevier had been a military man all of his life, intensified the bitterness of Jackson's victory over him. Jackson's military ambition and the success that he achieved as a commander of troops was finally to land him in the White House, and not only to make him President of the United States, but a maker of Presidents; the era of his dominating influence being known as "the Jackson era," and embracing the time when Tennessee was politically the most influential State in the Union, a position that the State had never achieved before and has never since. We are naturally interested, therefore, in Jackson's first communication to his troops

on this occasion, it being the first of the many addresses in his military career that he made to men under his command. This is his initial military address:

JACKSON TO THE TENNESSEE VOLUNTEERS RENDEZVOUSED AT
NASHVILLE.

"In publishing the letter of Governor Blount, the Major General makes known to the valiant volunteers who have tendered their services, everything which is necessary for them at this time to know. In requesting the officers of the respective companies to meet in Nashville, on the 21st inst., the Governor expects to have the benefit of their advice in recommending the field officers, who are to be selected from among the officers who have already volunteered; also to fix upon the time when the expedition shall move, to deliver the definite instructions, and to commission the officers in the name of the President of the United States. Companies which do not contain sixty-six rank and file are required to complete their complement to that number. A second lieutenant should be added where the company contains but one.

"The Major General has now arrived at a crisis when he can address the volunteers with the feelings of a soldier. The State to which he belongs is now to act a part in the honorable contest of securing the rights and liberties of a great and rising republic. In placing before the volunteers the illustrious actions of their fathers in the war of the Revolution, he presumes to hope that they will not prove themselves a degenerate race, nor suffer it to be said that they are unworthy of the blessing which the blood of so many thousand heroes has purchased for them. The theater on which they are required to act is interesting to them in every point of view. Every man of the western country turns his eyes intuitively upon the mouth of the Mississippi. He there beholds the only outlet by which his produce can reach the markets of foreign nations or of the Atlantic States. Blocked up, all the fruits of his industry rot upon his hands; open, and he carries on a commerce with all the nations of the earth. To the people of the western country is then peculiarly committed, by nature, herself, the defense of the lower Mississippi and the city of New Orleans. At the approach of an enemy in that quarter the whole western world should pour forth its sons to meet the invader and drive him back into the sea. Brave volunteers, it is to the defense of this place, so interesting to you, that you are now ordered to repair. Let us show ourselves conscious of the honor and importance of the charge which has been committed to us. By the alacrity with which we obey the orders of the President let us demonstrate to our brothers in all parts of the Union that the people of Tennessee are worthy of being called to the defense of the Republic.

"The Generals of Brigade attached to the Second Division will communicate these orders to the officers commanding volunteer companies with all possible dispatch, using expresses, and forwarding a statement of the expense to the Major General.

"Andrew Jackson,

"Major General Second Division T."

"November 14, 1812."

Each volunteer was expected to furnish his own rifle, ammunition, camp equipment and blankets, for which it was expected that the government would make an allowance subsequently. The General gave a description of the uniform permissible for the men to wear.

The expedition was organized as follows: Andrew Jackson, Major General, commanding; John Coffee, Colonel in charge of a regiment of Cavalry; William Hall, Colonel one regiment of infantry; Thomas H. Benton, Colonel one regiment of infantry; William B. Lewis, Major and quartermaster; William Carroll, subsequently General and Governor of Tennessee, Brigade Inspector; and John Reid, Aide and Secretary to the General. The troops comprised men from some of the very best families in Tennessee. Jackson wrote to the Secretary of War: "I have the pleasure to inform you that I am now at the head of 2,070 volunteers, the choicest of our citizens, who go at the call of their country to execute the will of the government, who have no constitutional scruples; and if the government orders, will rejoice at the opportunity of placing the American eagle on the ramparts of Mobile, Pensacola, and Fort St. Augustine, effectually banishing from the southern coasts all British influence."

On February 15, 1813, after traveling a thousand miles by water in thirty-nine days, the expedition came to Natchez where Colonel John Coffee and his cavalry who had taken the land route, had already arrived. The expedition never got any further than Natchez for the reason that General Wilkinson, who was in command at New Orleans, and was Jackson's superior officer, wrote Jackson that the government had provided neither quarters nor provisions for the expedition at New Orleans; hence there was nothing to be done except employ the waiting time in drilling the volunteers, and making trained soldiers out of them. So things went on, until the latter part of March, when the General received an order from the War Department as follows:

"War Department, February 6, 1813.

"Sir: The causes of embodying and marching to New Orleans the corps under your command having ceased to exist, you will, on the receipt of this letter, consider it as dismissed from public service, and take measures to have delivered over to Major General Wilkinson all the articles of public property which may have been put into its possession.

"You will accept for the corps the thanks of the President of the United States.

"I have the honor, etc.,

"Major General Andrew Jackson. "J. Armstrong."

And so this was to be the end of all the ambitious hopes of the General and volunteers to serve their country! Never in all military history were hopes more utterly dashed to pieces. The little army was five hundred miles away from home, and the overland route back was through a wilderness; there were one hundred and fifty men on the sick list, and only eleven wagons at hand. Verily, it was a very trying test for the Major General, but he rose fully equal to it and demonstrated that power of will, that masterfulness which characterized all of his future life, and which eventually made him one of the greatest characters in American history. Jackson's will power was the source of all of his success, and it never failed him. The man's magnificent confidence in himself, his courage which never knew what fear was, his devotion to the cause in hand that never wavered—these qualities made him the accepted leader of the American people from 1825 until his death in 1845, and generated a confidence of the people that was both wonderful and supreme.

It did not take Jackson a minute to decide that he would disobey the orders of the Secretary of War: he would not disband his men, he would not turn over his equipment to Major General Wilkinson, he would retain this equipment, he would hold his men together under his command, he would march them back to Tennessee, and disband them in the city of Nashville whence the expedition started; and he did all of this, and the world has admired him for it ever since, and acclaimed him as a man among men.

On the road home, the greatest problem was what to do with the sick men. Jackson himself gave up his horses that were in the expedition for his personal use, and trudged along over the weary miles like a common soldier, cheering his men up as he went along. No wonder that on this expedition he was given the title "Old

Hickory" by his men; he showed the materials within him and the men thought hickory was the best symbol for them. On May 22, 1813, the little army was drawn up in Nashville, and commanded to disburse to their homes, and so the expedition ended, from a military standpoint.

But there was a financial story to follow. In order to procure equipment for the return trip, General Jackson gave orders on the quartermaster's department at New Orleans to the men who furnished him horses and wagons and provisions necessary for the trip home, and these orders were repudiated by the quartermaster's department, thereby making Jackson personally responsible for them to the extent of about twelve thousand dollars, which somebody must pay, and for which Jackson was primarily responsible. Suit was threatened at Nashville, and Thomas H. Benton right then was about to go to Washington to procure an appointment in the regular army of the United States, and he undertook on this trip to get the government to pay off these orders, and was finally successful in his mission, and also successful in getting a commission as Lieutenant Colonel in the new southern army which was then being organized. The Secretary of War gave an order to General Wilkinson at New Orleans to pay for such transportation as General Jackson was entitled to on this return trip.

It is perfectly safe to say that it was this very kind service rendered by Benton to Jackson which saved Jackson, if not from bankruptcy, at least from very serious financial embarrassment, that was the source of the affray between Jackson and Thomas H. Benton and his brother Jesse, after the former got back to Nashville.

The difficulty with the Bentons was brought about by General Jackson, and was one of the most serious mistakes he made in all of his career, and one which nearly cost him his life. It originated in his attempt to carry out his threat which he had made to horsewhip Thomas H. Benton.

H. E. BEARD TO THE AUTHOR.

"Nashville, Tenn., February 4, 1920.

"Hon. S. G. Heiskell,
Knoxville, Tenn.

"Dear Mr. Heiskell:—

"The account of the Carroll-Benton duel I sent you is taken from 'It Happened in Nashville,' compiled and written by me

in 1912 for the Nashville Industrial Bureau. As I wrote you sometime ago, the account was copied from an old Nashville newspaper in which it appeared over the signature of Governor Carroll himself.

"With good wishes and kindest regards,

"Yours truly,

W. E. Beard,

News Editor, Nashville Banner.

Mr. Beard's account follows:

THE CARROLL-BENTON DUEL.

"The duel between William Carroll, later Governor of Tennessee for six terms, and Jesse Benton, brother of Thomas Benton, the famous ante-bellum Senator from Missouri, was fought on June 15, 1813, some weeks after the return of Old Hickory's little army from Natchez.

"Carroll had been challenged by Littleton Johnston, a young officer of the army. He refused to meet Johnston, 'for reasons, which it is unnecessary to detail,' he said in an account of the duel prepared for Col. Andrew J. Donelson on October 4, 1824. Johnston applied to Jesse Benton to be the bearer of a second challenge. Since Benton was acquainted with the circumstances of the affair between Johnston and Carroll the latter thought it probable that Benton might be disposed to make himself the principal in Johnston's stead. He therefore determined to inform Benton that if he volunteered in Johnston's place, he would be accommodated. After reaching this decision he called on General Jackson and informed him of what had passed and of his intentions toward Benton and asked the General to be the bearer of a note to Benton stating his position. Gen. Jackson told him that he could perceive no cause of quarrel between Benton and him and expressed the hope that he (Jackson) might bring about an amicable adjustment, promising to go to Nashville the next day. The General made the trip as promised and at Carroll's request delivered Benton the following note:

" 'Nashville, June 11, 1813.

" 'Sir: I presume you were apprised that I would not have anything to do with Mr. Johnston, in the way requested and your coming forward as his friend, after having this knowledge, makes it probable you have volunteered in his behalf. If so, you can explain to Gen. Jackson your object and your wishes, and it will only rest with yourself the line of conduct you intend to pursue here, as no communication from Mr. Johnston will be attended to by me.

" 'I am, etc.,

" 'William Carroll.' "

" 'Mr. Jesse Benton.' "

"On delivering the note to Benton, Gen. Jackson told him that he was under no obligation to fight a duel with Carroll and advised him to consult with some experienced friend. Notwithstanding the advice of Gen. Jackson, Benton late in the day handed the General the following note:

" 'Mr. Carroll.

"Sir: I consider the note you sent me, as dictated in a spirit of hostility; and moreover, I consider your conduct, with regard to Mr. Johnston, as unjustifiable; I therefore, deem it necessary to request that you will cause the necessary preparations to be made for a decisive settlement of the affair in which we are engaged. You will please to inform me as early as possible as I shall be in complete readiness by 12 o'clock tomorrow.

" I have the honor to be, etc.,

" 'Jesse Benton.' "

" 'Major William Carroll.' "

"Gen. Jackson and Mr. Benton's friend met on June 14th to agree on the rules for the encounter. Carroll being the party challenged had the right to name the time and the distance, though Benton's second was by courtesy allowed to select the former. The time was fixed at 6 a.m. the following morning. The distance was ten feet, Carroll being a poor shot and figuring that the shorter the distance the more equal would be the opponents.

"The principals and their seconds met according to program, their pistols were loaded and Carroll and Benton took their stations ten feet apart, standing back toward back. They were asked if they were ready, and the word 'fire' being given, both wheeled on the word and fired. Benton was severely wounded and Carroll slightly so.

"The duel, bloody enough in itself, led to another bloody affray, that between Jackson and the Bentons, Tom and Jesse, the former having been greatly incensed that Gen. Jackson had acted as second for his brother's opponent in a duel, and having expressed his feelings in violent terms. This fight, in which Jackson was reinforced by Coffee and Hays, occurred September 4, 1813, in the old City Hotel in Nashville, Old Hickory receiving a charge of slugs in the shoulder which almost cost him his life.

A part of Carroll's thumb was shot off, and Jesse Benton received a flesh wound in a part of his body that caused a great many jests among the people of Nashville afterwards; and of course the news, distorted, garbled, magnified, and false as to Jackson's part in the duel, was communicated to Thomas H. Benton, who got furiously angry. That anger was very natural, considering that he was just returned home from a trip to Wash-

ington where he had practically saved Jackson from bankruptcy; and on his return to find that Jackson, on the field of honor, had done as Jackson's enemies reported to Benton, very naturally excited Benton to the highest pitch of rage. To Jackson's credit be it said that he accepted the hostile words that Benton said about him at first with very considerable forbearance, and did not assume the aggressive, or take steps that might lead to difficulty until his patience could stand it no longer.

Before Benton started to Washington in Jackson's interest, the two men had been on good terms, but not such intimate terms as would without more have excited Benton to great rage on learning that Jackson had been a second in a duel in which Jesse Benton took part. It was the overwhelming favor kindly and voluntarily done Jackson on the trip to Washington, intensified by the aggravating account given to Benton by Jackson's enemies, that enraged Colonel Benton. When Jackson made the threat to horsewhip Colonel Benton, that threat had to be carried out, or Jackson be branded with fear of attempting it; so on September 4, 1813, General Jackson, accompanied by Colonel Coffee, approached Benton standing in front of the City Hotel in Nashville, and drawing a cowhide, started to carry his threat into execution, and this, of course, produced war. Colonel Coffee and Stokely Hayes helped General Jackson, and Jesse Benton, his brother. The fight was carried on from the front back into the hotel. Shots were exchanged, dirks were drawn, General Jackson from a shot was felled to the floor, and Thomas H. Benton, in backing away, fell down a pair of steps. The wonder is that all of the combatants were not killed. The exact facts of the part taken by each of the several combatants cannot be given; the statements afterwards made by some of them were contradictory and confused. The two Bentons were armed with pistols, heavily loaded, and Colonel Coffee had a pistol. General Jackson was able to be taken home, and his wound was very serious, and gave him trouble for a long time afterwards. General Jackson never made a statement about the affair or talked about it. The ball was taken from his shoulder by two surgeons in Washington City July 14, 1832, nineteen years after Benton fired the shot.

BENTON LEAVES TENNESSEE.

After the fight with Jackson, Benton was appointed Lieutenant Colonel in the regular army of the United States, and left

Tennessee, and at the close of the war went to Missouri, and made it his home down to the time of his death on April 10, 1858, in the city of Washington. He never met Jackson after the fight until 1823, when both were members of the United States Senate, and friendly relations were resumed between them. Benton served Missouri for thirty years in the United States Senate—from 1820 to 1850—and was elected to Congress in 1852—and became one of the great men of the Union, ranking with Webster, Clay and Calhoun. After Jackson became President, he was the leading advocate of his administration on the floor of the Senate, and continued a warm friend of Jackson until the latter's death, in June 1845.

As time goes forward, and the historians come to critically examine the record of Colonel Benton, his great natural intellectual power, his vast learning connected with government and public affairs, his limitless industry, his perfect fearlessness, his lofty patriotism, his indomitable will and integrity of character, his place among American statesmen will not be lessened, but magnified, and he will be recognized as one of the greatest men America has ever produced.

BENTON'S STATUE IN ST. LOUIS.

After his death a statue was erected to Colonel Benton in the city of St. Louis, and General Frank P. Blair was the speaker selected to deliver the oration at the unveiling. General Blair and Colonel Benton are the two citizens of Missouri whose statues have been presented by that State to the United States, and are in Statuary Hall at Washington. Benton's statue was presented by Missouri to the government on February 4, 1899. Blair was the Democratic nominee for vice president on the ticket Seymour and Blair in 1868.

No man was better fitted to speak of Colonel Benton and in his oration at the unveiling, he said:

"To-day you raise from the grave and give to the light the form and features of that model of an American Senator whose patriotism entitled him to all the honors that the Roman Cato merited in the eyes of his government. There never lived a man with more instinctive patriotism than Benton. He was a man of strong, sometimes of unruly passions, but his paramount passion was love of country. Let me open my reminiscences of this strong man of intellect and impulse with a proof of his title

to this proud position. I will first touch upon an important transaction with which his public life commenced.

"After glorious service in the war with Great Britain in which Benton acted as the aide of General Jackson, a bloody feud arose between them, growing out of a duel in which the brother of the former was wounded by the friend of Jackson whom he attended as a second. This resulted in hatred which time made inveterate. With men of such determination, who had refused all explanation at first, who would have no arbitrators but their weapons, no approach to reconciliation seemed possible. The thought, even, was not welcome to either until a conjecture arose which threatened the safety of the country. Both then perceived that their joint efforts were essential to the good of the country, and without a word spoken, without the slightest intimation from either that friendly relations would be welcomed, the Senator began his labors in the service of the President and went to him to know how his co-operation could be made most effective in defense of the Union. Not a word about by-gones passed between them. The memory of the quarrel was blotted out by the danger which menaced the country. The old intimacy was revived in their devotion to the public cause. Cordial, unfettered, mutual attachment sprung up, and not a cloud remained of the black storm where rage was once welcomed as promising to end all differences in a common destruction. Patriotism, the ruling passion in both bosoms, exorcised from both every particle of anger, pride and the cherished antagonism of years. * * *

"I trust I may not be thought to tread on ground too holy in alluding to the gentle care, the touching solicitude with which he guarded the last feeble pulse of life in her who was the pride and glory of his young ambition, the sweet ornament of his mature fame, the best loved of his ripened age. These are the complete qualities which enable us to know him as he was: ,

"Lofty and sour to those who loved him not,
But to those men who sought him, sweet as summer."

SPEAKER CHAMP CLARK ON THOMAS H. BENTON.

No man in public life is more qualified to speak of Thomas H. Benton than the Honorable Champ Clark of Missouri, the present Speaker of the House of Representatives in Congress; and no other opinion of Colonel Benton could receive a wider or more unqualified acceptance. Speaker Clark was born in 1850 in Kentucky, and Benton died in 1858 and was buried in Missouri. The Speaker moved in 1875 to Missouri and developed in that State among the memories and traditions of Benton, and among a people who were supremely proud of their great Senator. In

a thoughtful and well considered sketch of Colonel Benton's life, Speaker Clark uses this language:

"He was not so magnetic a leader as Clay, so great an orator as Webster, or so profound a logician as Calhoun; but in range and thoroughness of information he overtopped them all. A short time before Senator George Frisbie Hoar's death, I happened to sit beside him in a street car. I said: 'Senator, which knew the more, Thomas Hart Benton or John Quincy Adams?' With a twinkle in his eye, he replied: 'Both! If left to them to decide!' After a moment's reflection he added: 'Perhaps that is not a fair statement. The subjects of their researches were so different that it is difficult if not altogether impossible to compare them. Thomas H. Benton knew more about our domestic affairs than any other man that ever lived, while John Quincy Adams knew more about our foreign affairs than any other man that ever lived.' Most assuredly a high tribute to both. It was not only the wide scope of his information, but his thoroughness that renders his great book an accepted authority on every subject with which it deals. I have quoted it scores of times, in Congress and out, and I have heard others quote it more frequently, and I have never yet heard the accuracy of his statement of facts questioned. He wrote his book partly because it was impossible for him to be idle, for a more industrious man never lived; partly to earn some much-needed money, for, notwithstanding innumerable opportunities to grow rich, he remained poor—proof positive of his integrity—but chiefly to vindicate his own career and General Jackson's to posterity. A more honest, honorable, truthful, courageous, patriotic man never lived. These high qualities appear everywhere in his book, as do also his stupendous egotism, his bitter animosities, and his intense love of friends. He was an omnivorous reader—a learned man; he possessed an iron constitution; was sober and economical of his time; he was an active participant in tremendous events and was not at all bashful about claiming the lion's share of the credit; but there is everywhere apparent in his narrative a desire to be entirely just to those of whom he speaks. He left out of his book many whom he disliked except where he was compelled to mention them in the roster of the Senate or in the roll-calls."

BENTON'S ESTIMATE OF JACKSON.

Colonel Benton published his "Thirty Years' View" covering the workings of the American government for the period that he represented the State of Missouri in the United States Senate—from 1820 to 1850—and the book came from the press in 1854. There are two volumes comprising about fifteen hundred pages, and it is a standard authority upon matters it covers. The book

is long since out of print, and the number of copies of it in the United States is very limited. Therefore, his candid and mature opinion of Andrew Jackson is known to but few people at this time. Considering that he and General Jackson had the savage encounter narrated above, the author believes that this generation of Tennesseans and all others who are interested in Andrew Jackson, will appreciate the reproduction of an extended quotation from Colonel Benton's one hundred and sixty-fifth chapter, where he sums up his opinion of Jackson; and that Tennesseans will coincide with the opinion that this chapter—the concluding chapter of the first volume—establishes his claim to greatness more thoroughly than anything the great Missouri statesman ever did in all of his long and eventful life connected with public affairs.

Benton repeatedly said in the course of his life that it was he, and not his brother Jesse, who shot General Jackson, but that unhappy combat never diminished his loyalty to Jackson.

What a great picture it would make—one worthy to be hung in the Senate Chamber at Washington where they both served—a picture of Jackson on his death-bed, when he called Major Lewis to his bedside, pulled his head down so that he could whisper in his ear, and said, "Tell Colonel Benton that I am grateful even to my dying day!" And he had cause for gratitude. And Benton had cause for gratitude to Jackson. The two in co-operation were the greatest two that ever acted together in the civil department of the United States government, and with Van Buren in Jackson's cabinet, what a combination it was. It was Benton who gave notice long beforehand that the day would come when the United States Senate would expunge from its Journal the resolution of censure on Jackson, and it was Benton who made the motion which carried, that the words of censure be expunged.

Therefore, what Benton's opinion of Jackson was published nine years after Old Hickory's death, can be accepted as a reliable portrait—as reliable as ever given by any writer, contemporary or later.

"The first time that I saw General Jackson was at Nashville. Tennessee, in 1799—he on the bench, a judge of the then Superior Court, and I a youth of seventeen, back in the crowd. He was then a remarkable man, and had his ascendant over all who approached him, not the effect of his high judicial station, nor of the senatorial rank which he had held and resigned; nor of mili-

tary exploits, for he had not then been to war; but the effect of personal qualities; cordial and graceful manners, hospitable temper, elevation of mind, undaunted spirit, generosity, and perfect integrity. In charging the jury in the impending case, he committed a slight solecism in language which grated on my ear, and lodged on my memory, without derogating in the least from the respect which he inspired; and without awaking the slightest suspicion that I was ever to be engaged in smoothing his diction."

* * * * *

"His temper was placable as well as irascible, and his conciliations were cordial and sincere. Of that, my own case was a signa. instance. After a deadly feud, I became his confidential adviser; was offered the highest marks of his favor and received from his dying bed a message of friendship, dictated when life was departing, and when he would have to pause for breath. There was a deep-seated vein of piety in him, unaffectedly showing itself in his reverence for divine worship, respect for the ministers of the gospel, their hospitable reception in his house, and constant encouragement of all the pious tendencies of Mrs. Jackson. And when they both afterwards became members of a church, it was the natural and regular result of their early and cherished feelings. He was gentle in his house, and alive to the tenderest emotions; and of this, I can give an instance, greatly in contrast with his supposed character, and worth more than a long discourse in showing what that character really was. I arrived in his house one wet chilly evening in February, and came upon him in the twilight, sitting alone before the fire, a lamb and a child between his knees. He started a little, called a servant to remove the two innocents to another room, and explained to me how it was. The child had cried because the lamb was out in the cold, and begged him to bring it in—which he had done to please the child, his adopted son, then not two years old. The ferocious man does not do that! and though Jackson had his passions and his violence, they were for men and enemies—those who stood up against him—and not for women and children, or the weak and helpless: for all whom his feelings were those of protection and support. His hospitality was active as well as cordial, embracing the worthy in every walk of life, and seeking out deserving objects to receive it, no matter how obscure. Of this I learned a characteristic instance in relation to the son of the famous Daniel Boone. The young man had come to Nashville on his father's business, to be detained some weeks, and had his lodgings at a small tavern, towards the lower part of town. General Jackson heard of it; sought him out; found him; took him home to remain as long as his business detained him in the country, saying, 'Your father's dog should not stay in a tavern, where I have a house.' This was heart! and I had it from the young man himself, long after, when he was a State Senator of the General Assembly of

Missouri, and, as such, nominated me for the United States Senate, at my first election, in 1820; an act of hereditary friendship, as our fathers had been early friends."

* * * * *

"He had a load to carry all of his life, resulting from a temper which refused compromises and bargaining, and went for a clean victory or a clean defeat, in every case. Hence, every step he took was a contest; and, it may be added, every contest was a victory. I have already said that he was elected Major General in Tennessee—an election on which so much afterwards depended—by one vote. His appointment in the United States regular army was a conquest from the administration, which had twice refused to appoint him a Bridagier, and once disbanded him as a volunteer general, and only yielded to his militia victories. His election as President was a victory over politicians—as was every leading event of his administration.

"I have said that his appointment in the regular army was a victory over the administration, and it belongs to the inside view of history, and to the illustration of government mistakes, and the elucidation of individual merit surmounting obstacles, to tell how it was. Twice passed by to give preference to two others in the West (General Harrison and General Winchester), once disbanded, and omitted in all the lists of military nominations, how did he get at last to be appointed Major General? It was thus. Congress had passed an act authorizing the President to accept corps of volunteers. I proposed to General Jackson to raise a corps under that act, and hold it ready for service. He did so; and with this corps and some militia, he defeated the Creek Indians, and gained the reputation which forced his appointment in the regular army. I drew up the address which he made to his division at the time, and when I carried it to him in the evening, I found the child and the lamb between his knees. He had not thought of this resource, but caught at it instantly, adopted the address, with two slight alterations, and published it to his division. I raised a regiment myself, and made the speeches at the general musters, which helped to raise two others, assisted by a small band of friends—all feeling confident that if we could conquer the difficulty—master the first step—and get him upon the theater of action, he would do the rest himself. This is the way he got into the regular army, not only unselected by the wisdom of the government, but rejected by it—a stone rejected by the master builders—and worked in by an unseen hand, to become the cornerstone of the temple. The aged men of Tennessee will remember all of this, and it is time that history should learn it. But to return to the private life and personal characteristics of this extraordinary man.

"There was an innate, unvarying, self-acting delicacy in his intercourse with the female sex, including all womankind; and on that point my personal observation (and my opportunities for

observation were both large and various), enables me to join in the declaration of the belief expressed by his earliest friend and most intimate associate, the late Judge Overton, of Tennessee. The Roman general won an immortality of honor by one act of continence; what praise is due to Jackson, whose whole life was continent? I repeat, if he had been born in the time of Cromwell, he would have been a puritan. Nothing could exceed his kindness and affection to Mrs. Jackson, always increasing in proportion as his elevation, and culminating fortunes, drew cruel attacks upon her. I knew her well, and that a more exemplary woman in all the relations of life, wife, friend neighbor, relative, mistress of slaves—never lived, and never presented a more quiet, cheerful and admirable management of her household. She had not education, but she had a heart, and a good one; and that was always leading her to do kind things in the kindest manner. She had the General's own warm heart, frank manners and hospitable temper; and no two persons could have been better suited to each other, lived more happily together, or made a house more attractive to visitors. She had the faculty—a rare one—of retaining names and titles in a throng of visitors, addressing each one appropriately, and dispensing hospitality to all with a cordiality which enhanced its value. No bashful youth, or plain old man, whose modesty sat them down at the lower end of the table, could escape her cordial attention any more than the titled gentlemen on her right and left. Young persons were her delight, and she always had her house filled with them—clever young women and clever young men—all calling her affectionately 'Aunt Rachel.' I was young then, and was one of that number. I owe it to cherished recollections, and to cherished convictions—in this last notice of the Hermitage—to bear this faithful testimony to the memory of its long mistress—the loved and honored wife of a great man. Her greatest eulogy is in the affection which she bore her living, and in the sorrow with which she mourned her dead. She died at the moment of the General's first election to the Presidency; and everyone that had a just petition to present, or charitable request to make, lost in her death, the surest channel to the ear and to the heart of the President. His regard for her survived, and lived in the persons of her nearest relatives. A nephew of hers was his adopted son and heir, taking his own name, and now the respectable master of the Hermitage. Another nephew, Andrew Jackson Donelson, Esq., was his private secretary when President. The Presidential mansion was presided over during his term by her neice, the most amiable Mrs. Donelson; and all his conduct bespoke affectionate and lasting remembrance of one he held so dear."

Another estimate of Old Hickory made seventy-five years after his death may be set by the side of Col. Benton's—that made when the Tennessee Society of New York, on January 8,

1920, celebrated the anniversary of Jackson's victory at New Orleans, at its fifteenth annual dinner at the Pennsylvania Hotel, with Right Reverend Thomas F. Gailor, Bishop of Tennessee and President of the Episcopal Council of America, on the program to make the address on Andrew Jackson. Several hundred Tennesseans participated in the occasion and Dr. James J. King, president of the society, introduced Bishop Gailor to the audience. This address is worth consideration, not only on account of the high position of the distinguished prelate who made it, but as the latest expression on the subject of Andrew Jackson of one who intellectually is Col. Benton's peer:

BISHOP GAILOR'S ADDRESS.

Bishop Gailor said in part:

"I have to say something tonight on what is well worn but still most fascinating to all of us Tennesseans and Americans. As you have heard, we have met together to commemorate a great event in the history of our country, to pay due honor to the virtues, the courage, the leadership of an illustrious American, and to pay a tribute of love to our dear old commonwealth of Tennessee, but above and beyond all these things, to try to get such inspiration from the story of the past as shall inspire us to hope and work for a greater future and to show by our loyalty our belief, the purpose, the meaning, the achievements of this public.

"Jackson who for thirty years from the battle of New Orleans in 1815 until his death in 1845, as an idol of the masses of the American people, so that during that period of more than one-quarter of a century the history of the United States may be said to have been the life of Andrew Jackson.

"To understand Jackson and Jackson's policies we have to study the conditions and circumstances of the times in which he lived. The men in public places, who held the reins of political power, were still dominated by European nations, inspirations, and ideals of life.

"In fact there were a good many of our people, and I have no doubt there are some of them still who are a little ashamed of the Republic, and the simplicity and the whole theory of popular Government which had been advocated by their fathers. Now, then, to create if possible an American people, to persuade its people to believe in and to glory in and to defend without any misgiving and without any apology before any of the theorists, that was the purpose and that was the inspiration. That was the motive of the whole life of Andrew Jackson.

"He lived in the American ideals: He wasn't infallible. He wasn't perfect. Many mistakes, of course, were made, but there can't be any doubt that the very purity of his life and the value



REV. THOMAS F. GAILOR
Bishop of Tennessee

of the influence that he exerted was against all that was alien and foreign and superficial in the way the people ought to run the Government, which was a Government of the people.

"What simplicity, what courage, what resolution. The most attractive, the most picturesque figure in American history, with the exception perhaps of Abraham Lincoln and Theodore Roosevelt.

"Jackson had the iron will that is ascribed to the lion among beasts and the warrior among men. He belonged to the brand of Norman Williams and of Oliver Cromwell.

"His resolution, his personal courage, were wonderful, and as a leader he exhibited that power of which John Stewart Mills speaks when he says that one man with conviction is worth ninety-nine who have only interests.

"Jackson believed deeply. He had great convictions and great courage. He believed in the American Government and he believed in the American people with whom the Government rested, and he believed profoundly in Andrew Jackson. His enemies talked about Jackson's vulgarity, but in the same breath they admitted that his manners were those of a prince.

"He had his faults. He was human. He was very human in his judgment of those who were opposed to him. He was not always fair to his enemies. He was sensitive to a fault. He was not majestic like Washington. But he believed deeply. He fought tremendously. He knew no fear, and if passionate, disinterested devotion to his country makes a man a patriot, he was a patriot.

"There are some lessons, it seems to me, that we might take home just at this time. Of course, we know what Jackson felt about Americanism. He was an American. He, I suppose, did not object to a man criticising particular actions or particular resolutions of policies of Government, but a man that attacks the Government itself, a man that derides the Government, is a traitor not only to the Government but to the people of the United States.

"Jackson was the first aggressive champion of that kind of Government which Mr. Lincoln described in his immortal phrase: "The Government of the people, for the people and by the people."

"But at the same time, when he believed that the people needed direction, he didn't hesitate to take a stand against the popular view, and he illustrated that truth that some of the best friends democracy ever had are the men that had the courage and the wisdom to save the people from themselves. He snapped his fingers at popular clamor and he did what he believed was the right thing to do, and what the welfare of the country demanded in the face of the derision of his enemies, and sometimes the objection of his friends, and the people honored him and followed him as an honest man.

"He discovered the American people, but he maintained that the security of the Republic was an intelligent people, and a people that were interested in Government, so here I say if everybody has a hobby, my hobby is education. I believe that nine-tenths of our trouble in the country would be solved if we had proper kind of compulsory education.

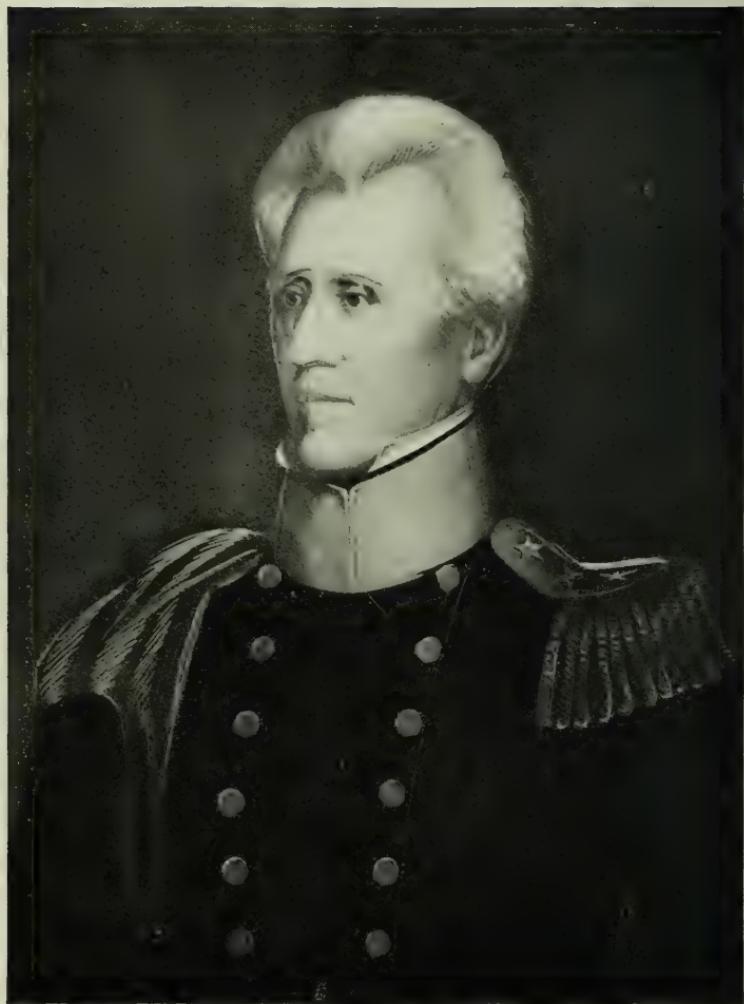
"I would like to have a schoolhouse for every one hundred children open ten months in the year over this land, and every child compelled to go to school, and our schools should be nurseries of patriotism.

"As the great Frenchman says, the real factor, the conservative and progressive factor in all civilization, is the belief in God.

"Now I say that the American people in the last two years have vindicated and justified Jackson's confidence in them, and here I want to pay a tribute to those thousands of men and women poorly paid, receiving a crown or recognition from no one, the poorest paid profession in the world, the thousands of men and women who have been teaching our schools from California to Maine, and the thousands of men who have been preaching the Gospel of Jesus Christ, to whom I believe we owe the fact that when the great trial came to us two years ago, that in the crisis, the American people were found to have an intelligence that could grasp the principles of the war, and had the moral allowing to go forth to make sacrifices and win the war.

"I believe in the American people. I am not talking about a group of people who live here in New York City, four-fifths of them foreigners. I am talking about the American people, the hundred millions of American people through this land. Their hearts are sound. They are patriots, they are Americans and American citizenship has never risen to so high a level as it has in the past two years, and I am not afraid if there be a disquiet and unrest throughout the country. Well, as Burke once said, 'You know half a dozen grasshoppers in an open field will make more noise than a whole herd of grazing shorthorns.' I tell you it is a sign of progress, it is a sign of life. The only hopeless condition of any people is that torpid, complacent, self-satisfaction, with the condition of things as they are. What we want is to be well disquieted if you please. We want to be unsatisfied, dissatisfied with the conditions, as that means progress, that means a hope for the future, that means the great achievement that will come to us as Americans.

"So I believe in the American people, and I say that in all the great crises in this country they have always exerted themselves and proven themselves to be worthy of the trust we have imposed in them."



GENERAL ANDREW JACKSON

CHAPTER 29.

Andrew Jackson—Fort Mims, Talluschatches, Taladega, Emuckfau, Enotochopco—Col. John Williams, The 39th Regulars and the Battle of Horseshoe Bend—Celebration of the Battle, March 27, 1914.

Andrew Jackson owes to the Indian Chief Tecumseh the opportunity to convince the people of Tennessee and the federal administration at Washington, that he was possessed of the military ability sufficient to justify the claim of his friends that he had in him the elements of a great commander, and that he would so develop if put in command of troops and placed in front of an enemy. Tecumseh was one of those Indian chiefs who approached being a great man. Among the thousands of Indians in America, there were only a very few who stood out clearly above the general average of redmen. Tecumseh was a born leader and never looked upon the white man with a friendly eye; he felt and claimed that his race had been robbed. By birth he was a Shawnee, his physical proportions were fine, and he was an orator who could sway his hearers; he knew how to depict the wrongs of the redmen. He conceived the idea of uniting all the Indian tribes and ejecting the white man from the land. This was his own conception, and had no connection with the war of 1812. He went up and down the land among the tribes preaching war on the whites, injected the element of religion into his campaign, and worked the Indians up to a religious frenzy; and the result of his machinations was one of the most horrible massacres in all history, that at Fort Mims, in Southern Alabama, on August 30, 1813. In the fort were five hundred and fifty-three men, women and children, of whom four hundred met then and there a bloody, horrible death. The drum sounded within the fort for dinner on that 30th of August, 1813, and, suspecting no danger, the gates were opened, and at the sound of the drum the Indians rushed within the enclosure. It was a one-sided fight, a bloody Indian massacre. At sundown corpses, mangled and scalped, were

everywhere within the walls of the fort. The details of this massacre shocked and astounded everyone who heard them, and brought to the battlefield Andrew Jackson, who was just out of his combat with the Bentons, and was nursing his wound caused by Colonel Benton's pistol bullet. Fort Mims led Jackson, by way of New Orleans, to the Presidency of the United States.

ANDREW JACKSON TO GOVERNOR WILLIE BLOUNT.

"Nashville, July 13, 1813.

"Dear Sir:

"From a letter received from the Honorable S. W. Campbell, last mail, I am advised that Government has come to a determination to march an expedition against the Creeks; the writer further observes, 'that part of the troops will be from West Tennessee, under your command it is presumed; this will afford employ from your detachment, should they still be disposed to be engaged in active service.'

"From the above, it appears that I may have some part in the contemplated expedition, and from which I take the liberty of giving you my idea on the subject; and, first, it is my duty to make known to you that the volunteers composing my detachment in the late expedition down the Mississippi, two thousand strong, stand ready at the call of their country, to march at a moment's warning.

"There can be no doubt but the Creeks and Lower Choctaws are excited to hostilities by the influence of the British; if so, there is no doubt but we will have to fight the combined powers of both. There is no instance, within my recollection, wherein an Indian tribe, or nation, has been invaded, but they united their whole force against the invaders; therefore, in the calculation of the force to be employed by the United States against the Creeks and their allies, no calculation ought to be made on the division of the nation. The force employed may either unite them or create divisions; if an incompetent force is employed against them they will be united, and, on the first reverse of our arms in that quarter, we will not only have to fight the whole Creek nation, but the greater part of the Choctaws; if a competent force is employed to ensure success, the Creek nation will be divided, to secure their territory and their property. The scenes in the Northwest is an awful lesson on this subject to the Government, and to every beholder, and from which we ought to learn, from experience, that the true way to economize is to employ sufficient force to ensure success, and crush all opposition from that quarter at one blow. The question, therefore, will occur, what force will be competent to the object? Will the number pointed out by the Secretary of War, say fifteen hundred from Tennessee and fifteen hundred from Georgia, with the United States regiment, say five hundred strong, be sufficient force to ensure success, and

crush the hostile Indians and their allies in that quarter? I answer in the negative. If it were intended to barely make an incursion through their towns, burn their houses, destroy their crops, and hastily to return, this force would be more than competent for a flying camp, but I understand the object of the expedition to be different; that is, crush all hostility in that quarter; this, then, will require fortified places in the heart of the Creek nation, and a military campaign.

"It is a large calculation to say that three-fourths of any military force will be any length of time fit for service. It will take one-fourth to guard the baggage, &c. &c.; one-half, therefore, of the force ordered into the field may be calculated on to be a disposable force; we can therefore count, with certainty, only on a disposable force of seventeen hundred and fifty men, after a junction is formed in the Creek or Cherokee country. I will hazard an opinion that no military man, impressed to the belief that the Indians are excited to hostilities by the British, and knowing their contiguity to Pensacola, and the ease with which Britain can land reinforcement, and co-operate with the Indians, will say that the above force is competent to ensure success. The experience of the Northwestern armies forbids such a belief; and when any force, that may be required, can be had, I am of opinion that, from three to five thousand from this State ought to be employed on this expedition; the latter perhaps the better calculation; these, with the third United States' regiment, and a brigade from Georgia, would be amply sufficient to drive the Indians and their allies into the ocean; and should the Spaniards give our enemies an asylum in Pensacola, would be sufficient to take possession of that place, cut off all supplies from the straggling Indians, and put an end to hostility in that quarter.

"As soon as the expedition is determined on, I shall do myself the pleasure of submitting some ideas on the details of the campaign; the field ordnance necessary; the proportion of cavalry and mounted men to that of the infantry; the point of concentration; the site for a garrison, and depot for provisions, magazine stores, &c.

"At present I shall close these remarks by observing that four thousand men can be rendezvoused, in my division, in twenty days from the promulgation of the order. My brave volunteers, two thousand strong, stand ready for the call.

"I am, sir, with due consideration and respect.

"ANDREW JACKSON,

"His Excellency WILLIE BLOUNT."

On September 18, 1813, a public meeting was held in Nashville to consider this awful event. The Legislature of the State passed an act on September 24th as follows:

"AN ACT to repel the invasion of the State of Tennessee by

the Creek Indians, and to afford relief to the Citizens of the Mississippi Territory and other purposes.

"Section 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That of the militia of the said State, the Governor is hereby authorized to organize and march immediately any number not exceeding three thousand five hundred men, in such proportions of Infantry, Cavalry, Artillery and mounted Infantry, as the Governor and the commanding General deem proper, for the public service, to any place in the Creek nation of Indians or in the Mississippi Territory where said troops may give relief to the citizens of said territory, and repel the invasion of the State of Tennessee by said Indians and their allies.

"Sec. 2. BE IT ENACTED, That the Governor of Tennessee be and he is hereby authorized to contract for and supply said troops with provisions, ammunition, and arms, at the expense of said State until the General Government make provision for said troops, and to draw on the treasurers of said State for the money, or borrow the same of either of the banks in Tennessee, or any other source at a rate of interest usual in said Bank.

"Sec. 3. BE IT ENACTED, That in the event the General Government refuse to pay the aforesaid troops for their services as other similar troops are paid by the said Government, then and in that event said troops shall be paid by the State of Tennessee in the same manner the United States pay similar troops.

"Sec. 4. BE IT ENACTED, That each or either of the banks in Tennessee are hereby authorized to lend to the Governor, any sum or sums of money not exceeding three hundred thousand dollars to be used in supplying the aforesaid troops, or for their pay or the purchase of ammunition or arms.

"Sec. 5. BE IT ENACTED, That any sum the Governor may borrow under the provisions of this act, the revenue of this State shall be pledged to the lenders for the same, and the interest, and in the event the General Government do not pay the debts contracted by the Governor, at the next session of the Legislature of this State, a tax shall be laid on the taxable property of this State, sufficient to raise the sum and the interest thereon, which may be borrowed by the Governor.

"Sec. 6. BE IT ENACTED, That the Governor's warrant on the Treasury of this State, for the sum or sums he may borrow and the interest thereon shall be sufficient and conclusive evidence of such debts, and shall entitle the lenders to draw interest on the sum or sums by them advanced, from the time advanced until said sum or sums be repaid, and that the interest shall be paid half yearly agreeably to the rate of interest mentioned in the second section of this act.

"TH. CLAIBORNE,
"Speaker of the House of Representatives.

"ROBERT C. FOSTER,
"September 24, 1813." "Speaker of the Senate.

General Jackson's wound was beginning to heal, and on the 25th of September he called his soldiers to meet on the 4th of October at Fayetteville, in Lincoln County, and on the 26th he sent Colonel John Coffee with 500 cavalrymen to the frontier of Alabama for its protection, and on the 4th of October Colonel Coffee reached Huntsville.

The 4th of October, the day set apart for the soldiers to rendezvous at Fayetteville, was one month from the time the General had been shot by Colonel Benton. Fayetteville, the place of rendezvous, was about eighty miles from Nashville, and on the 4th of October the General found that his physical condition would not permit him to be present, so he forwarded an address which was read to the soldiers.

GENERAL JACKSON TO THE VOLUNTEERS AT FAYETTEVILLE.

"We are about to furnish these savages a lesson of admonition; we are about to teach them that our long forbearance has not proceeded from an insensibility to wrongs, or an inability to redress them. They stand in need of such warning. In proportion as we have borne with their insults, and submitted to their outrages, they have multiplied in number, and increased in atrocity. But the measure of their offenses is at length filled. The blood of our women and children, recently spilt at Fort Mims, calls for our vengeance; it must not call in vain. Our borders must no longer be disturbed by the warwhoop of these savages, and the cries of their suffering victims. The torch that has been lighted up must be made to blaze in the heart of their own country. It is time they should be made to feel the weight of a power, which, because it was merciful, they believed to be impotent. But how shall a war so long forborne, and so loudly called for by retributive justice, be waged? Shall we imitate the example of our enemies, in the disorder of their movements and the savageness of their dispositions? Is it worthy the character of American soldiers, who take up arms to redress the wrongs of an injured country, to assume no better models than those furnished them by barbarians? No, fellow-soldiers; great as are the grievances that have called us from our homes, we must not permit disorderly passions to tarnish the reputation we shall carry along with us. We must and will be victorious; but we must conquer as men who owe nothing to chance, and who, in the midst of victory, can still be mindful of what is due to humanity!

"We will commence the campaign by an inviolable attention to discipline and subordination. Without a strict observance of these, victory must be uncertain, and ought hardly to be exulted in, even when gained. To what but the entire disregard of order and subordination, are we to ascribe the disasters which have at-

tended our arms in the North during the present war? How glorious will it be to remove the blots which have tarnished the fair characters bequeathed us by the fathers of our Revolution! The bosom of your general is full of hope. He knows the ardor which animates you, and already exults in the triumph which your strict observance of discipline and good order will render certain."

The General himself reached Fayetteville on the 7th of October. On October 11th word came from Coffee that the Indians were on the move. At three o'clock Jackson had started to Huntsville, and at eight o'clock had arrived there. He established a fort which he called Fort Deposit on Thompson's Creek.

Now began experiences that would have shattered the resolution of any other man. It was a fight to feed the army, and a losing fight, for a long time. The question of supplies became the one question of the hour. Andrew Jackson's iron soul never exhibited itself more powerfully than in this Indian warfare down to, and including, the battle of the Horseshoe. He wrote letters everywhere, to everybody whom he thought could secure or expedite provisions to his relief. He told his correspondents that he dreaded famine more than he did the Creek Indians.

He left Fort Deposit on October 25, and in a few days came to the Coosa River, within a few miles of the town of Talluschatthes, an Indian town where an Indian force was assembled. On November 2 General Coffee was directed to destroy this town, which he did, and on November 3d, Coffee reported to Jackson that 186 Indians were killed and 84 prisoners of women and children were taken. He lost of his horsemen five killed and forty-one wounded. The cavalry were under Col. Alcorn, the mounted riflemen under Col. Cannon, and the advance parties under Capt. Hammond and Lieut. Patterson. General Jackson made a report to Governor Blount on November 4.

GENERAL JACKSON'S REPORT.

"We have retaliated for the destruction of Fort Mims. On the 2d I detached General Coffee, with a part of his brigade of cavalry and mounted riflemen, to destroy Talluschatthes, where a considerable force of the hostile Creeks was concentrated. The General executed this in style. An hundred and eight-six of the enemy were found dead on the field, and about eighty taken prisoners, forty of whom have been brought here. In the number left there is a sufficiency but slightly wounded to take care of those who are badly. I have to regret that five of

my brave fellows have been killed, and about thirty wounded; some badly, but none I hope mortally. Both officers and men behaved with the utmost bravery and deliberation. Captains Smith, Bradly and Winston are wounded, all slightly. No officer is killed. So soon as General Coffee makes his report I shall enclose it. If we had a sufficient supply of provisions we should in a very short time accomplish the object of our expedition."

The punishment inflicted by Coffee on the Creeks in this battle was severe, but more was to follow at the Battle of Talladega where a number of friendly Indians were beleaguered in a fort upon the site of which the present town of Talladega, Alabama, with a population of about 6,000, is located. Between the battle of Tallusatches and November 8, General Jackson and his men had been busy erecting a fort which he called Fort Strother. On November 8, he started on his way to the battle of Talladega, and on the 9th the battle was fought and the friendly Creeks who were shut up in the fort were relieved. Jackson, in his report, said that two hundred and ninety Indians were left dead on the field and that many more left traces of blood as they fled. Jackson's army lost fifteen men killed, eighty-five wounded, two of whom subsequently died. The advance party was under Col. William Carroll and consisted of the companies of Captains Dederick, Caperton and Bledsoe. The reserve was under Lieut.-Colonel Dyer, and consisted of the commands of Captains Smith, Morton, Axune, Edwards, and Hammond.

It was on this expedition that General John Cocke was ordered under arrest by General Jackson and tried by court-martial which unconditionally acquitted him of all charges made against him by Jackson. This was a very unhappy episode which was probably brought about by designing enemies poisoning Jackson's mind against Cocke. The charges were that Cocke had failed to bring provisions for the support of Jackson's army, and had not co-operated with Jackson as he should have done.

After this hunger and famine became vastly more dangerous to Jackson's army than the red man, and mutiny among the soldiers raised its head. We cannot go into all the details of this gloomy period, but it may be summarized by the statement that it brought out the iron that was in Jackson's constitution, and a will that did not know how to yield. Finally, General Jackson was left in the wilderness with only one hundred and nine men, and it looked like the expedition must be given up, notwithstanding

ing what had been successfully accomplished. The Indians and British were in a combination, and it was overwhelmingly necessary that the Indians as an ally of the British should be crushed; but the situation confronting Jackson looked very much like it was not going to be done. He waited to see what help he was going to get from Governor Blount to whom he had appealed for support, and finally received the Governor's answer, which, in effect, advised him that the campaign had failed and for him to give up the struggle and return home.

CAPTAIN JOHN GORDON OF THE SPIES.

It was one of the thrilling moments of this period of mutiny when General Jackson announced in the presence of his troops, "If only two men will stay with me, I will stay here and die in the wilderness," that Captain John Gordon, Gordon of the Spies, one of the most gallant men of the army, promptly responded, "General, I will stay with you and die in the wilderness," and then turned among the men looking for volunteers also to remain, and one hundred and nine pledged themselves to stand by Jackson.

Colonel A. S. Colyar in the first volume of his life of Jackson, gives Captain Thomas Kennedy Gordon by mistake for Captain John Gordon, but upon his attention being called to the error by Mrs. W. M. Woolwine of Nashville, promptly acknowledged the error, and promised to correct it if a second edition of his Life of Jackson should be published. He wrote Mrs. Woolwine this letter:

"Nashville, Tennessee, February 24, 1906.

"My Dear Mrs. Woolwine: I have your letter in reference to the mistake I made in writing 'The Life and Times of Andrew Jackson,' in which I gave Captain Thomas Kennedy Gordon credit as Captain of the Spies in the Indian wars of 1812 and 1815.

"I wish to say it was a mistake. When I prepared the first draft of my book, I gave the credit to Captain John Gordon, and designated him as Captain of the Spies. An esteemed friend wrote me that it was not Captain John Gordon who was known as the Captain of the Spies, but Captain Thomas Kennedy Gordon. Coming, as it did, from a most reputable source, I accepted it, and in the second draft (revision) of the work, I changed it.

"This I greatly regret, as I now know from a full investigation that the soldier known as the 'Captain of the Spies' was Captain John Gordon, and I authorize the Lippincott Company to make the correction in future publications.

"Very truly yours,
"A. S. COLYAR."

"If I publish a second edition, I will correct it. Please pardon the use of a pencil; while it is not respected as the pen is, it is more accommodating to old age."

Gordon's record in the Indian Wars and in connection with General Jackson, is one of the finest of that period, and it is not a matter of wonder that his descendants glory in the gallantry, courage and knightly qualities of their ancestor, and want him to be given that which historically is his due. He was a descendant of the "Black Gordon" clan of Scotch Highlanders, born in Virginia July 15, 1763, and was among the early settlers at Nashville, and took part in defense of the settlement against the Indians. He was the first postmaster of Nashville and served from April 1, 1796, to October 1, 1797.

GOV. BLOUNT TO GENERAL JACKSON.

"Nashville, December 22, 1813.

"Dear Sir:

* * * * *

"I am incapable of willingly saying or doing anything to injure the service, or that which would injuriously affect the reputation of deserving men, or the standing of an able and patriotic hero and general; but, as a friend to my Government, most ardently desirous that every step taken in this quarter may promote the good of the service, and the standing of these who deserve well of their country, I do not see what important good can grow out of your continuing at an advanced post, in the enemy's country, with a handful of brave men. Would it not, under all circumstances, be most likely to be attended with good consequences for you to return to the frontier of Tennessee, and, with your patriotic force, defend our frontier, where provision can be readily afforded on better terms to Government, bringing with you your baggage and supplies; and there, on the frontier, await the order of the Government, or until I can be authorized to reinforce you, or to call a new force? At this time, I really do not feel authorized to order a draft, or I would, with the greatest of all pleasure I could feel, do it. Were I to attempt it in an unauthorized way, it would injure, as I think, the public service, which I would rather die than do. I could not positively assure the men that they would be paid.

"I send you a copy of the President's message, and am gratified to see the handsome terms he uses in speaking of you and of General Coffee's battles. He seems to mean something about Pensacola, and to effect his object best, a new force should certainly be organized. Many who are now, and have been, on the campaign, would go again on that business, if they are pleased with the President's decision respecting their term of service,

under the late orders. I shall, from what I have said about the propriety of your return to the Tennessee frontier, feel bound to send a copy of this to the War Department, for the information of Government, and by way of apology for offering such an opinion to an officer in the service of the United States.

"I am, with highest respect and most sincere regard,

"Your friend,

"WILLIE BLOUNT.

"Major General Andrew Jackson, United States Service, Creek Nation."

To this letter General Jackson wrote a reply which in forcibly presenting a situation that was dark and gloomy, and that called for almost superhuman courage and will power to surmount, is one of the greatest documents in the history of any State. All Tennesseans should read it, and learn not only the iron character of its author, but his intellectual power. History may be challenged to find a greater character than Jackson presented at this dark period of the Creek war.

GEN. JACKSON'S REPLY TO GOV. BLOUNT.

"Had your wish that I should discharge a part of my force, and retire with the residue into the settlements, assumed the form of a positive order, it might have furnished me some apology for pursuing such a course, but by no means a full justification. As you would have no power to give such an order, I could not be inculpable to obeying with my eyes open to the fatal consequences that would attend it. But a bare recommendation, founded, as I am satisfied it must be, on the artful suggestions of those fireside patriots, who seek in a failure of the expedition an excuse for their own supineness, and upon the misrepresentations of the discontented from the army, who wish it to be believed that the difficulties which overcame their patriotism are wholly insurmountable, would afford me but a feeble shield against the reproaches of my country or my conscience. Believe me, my respected friend, the remarks I make proceed from the purest personal regard. If you would preserve your reputation, or that of the State over which you preside, you must take a straightforward, determined course, regardless of the applause or censure of the populace, and of the forebodings of that dastardly and designing crew who, at a time like this, may be expected to clamor continually in your ears. The very wretches who now beset you with evil counsel will be the first, should the measures which they recommend eventuate in disaster, to call down imprecations on your head and load you with reproaches. Your country is in danger; apply its resources to its defense. Can any course be more plain? Do you, my friend, at such a moment as the

present, sit with your arms folded and your heart at ease, waiting a solution of your doubts and definitions of your powers? Do you wait for special instructions from the Secretary of War, which it is impossible for you to receive in time for the danger that threatens? How did the venerable Shelby act under similar circumstances, or, rather, under circumstances by no means so critical? Did he wait for orders to do what every man of sense knew—what every patriot felt to be right? He did not; and yet how highly and justly did the Government extol his manly and energetic conduct! And how dear has his name become to every friend of his country!

"You say that an order to bring the necessary quota of men into the field has been given, and that, of course, your power ceases; and, although you are made sensible that the order has been wholly neglected, you can take no measure to remedy the omission. Widely different, indeed, is my opinion. I consider it your imperious duty when the men, called for by your authority, founded upon that of the Government, are known not to be in the field, to see that they be brought there; and to take immediate measures with the officer who, charged with the execution of your order, omits or neglects to do it. As the executive of the State, it is your duty to see that the full quota of troops be constantly kept in the field for the time they have been required. You are responsible to the Government, your officer to you. Of what avail is it to give an order if it be never executed, and may be disobeyed with impunity? Is it by empty mandates that we can hope to conquer our enemies, and save our defenseless frontiers from butchery and devastation? Believe me, my valued friend, there are times when it is highly criminal to shrink from responsibility, or scruple about the exercise of our powers. There are times when we must disregard punctilious etiquette, and think only of serving our country. The enemy we have been sent to subdue may be said, if we stop at this, to be only exasperated. The commander in chief, General Pinckney, who supposes me by this time prepared for renewed operations, has ordered me to advance and form a junction with the Georgia army; and upon the expectation that I will do so are all his arrangements formed for the prosecution of the campaign. Will it do to defeat his plans, and jeopardize the safety of the Georgia army? The general Government, too, believe, and have now not less than five thousand men in the heart of the enemy's country; and on this opinion are all their calculations bottomed; and must they all be frustrated, and I become the instrument by which it is done? God forbid!

"You advise me to discharge or dismiss from service, until the will of the President can be known, such portion of the militia as have rendered three months' service. This advice astonishes me even more than the former. I have no such discretionary power; and if I had, it would be impolitic and ruinous to exercise

it. I believed the militia who were not specially received for a shorter period were engaged for six months, unless the objects of the expedition should be sooner attained; and in this opinion I was greatly strengthened by your letter of the 15th, in which you say when answering my inquiry upon this subject, 'the militia are detached for six months' service;' nor did I know or suppose you had a different opinion until the arrival of your last letter. This opinion must, I suppose, agreeably to your request, be made known to General Roberts' brigade and then the consequences are not difficult to be foreseen. Every man belonging to it will abandon me on the fourth of next month; nor shall I have the means of preventing it but by the application of force, which, under such circumstances, I shall not be at liberty to use. I have labored hard to reconcile these men to a continuance in service until they could be honorably discharged, and had hoped I had, in a great measure succeeded; but your opinion, operating with their own prejudices, will give a sanction to their conduct, and render useless any further attempts. They will go; but I can neither discharge or dismiss them. Shall I be told that, as they will go, it may as well be peaceably permitted? Can that be any good reason why I should do an unauthorized act? Is it a good reason why I should violate the order of my superior officer, and evince a willingness to defeat the purposes of my government? And wherein does the 'sound policy' of the measures that have been recommended consist? Or in what way are they 'likely to promote the public good?' Is it sound policy to abandon a conquest thus far made and deliver up to havoc, or add to the number of our enemies, those friendly Creeks and Cherokees, who, relying on our protection, have espoused our cause and aided us with their arms? Is it good policy to turn loose upon our defenseless frontiers five thousand exasperated savages, to reek their hands once more in the blood of our citizens? What! retrograde under such circumstances! I will perish first. No, I will do my duty; I will hold the posts I have established, until ordered to abandon them by the commanding general, or die in the struggle; long since have I determined not to seek the preservation of life at the sacrifice of reputation.

"But our frontiers, it seems, are to be defended, and by whom? By the very force that is now recommended to be dismissed—for I am first told to retire into the settlements and protect the frontiers; next to discharge my troops; and then, that no measures can be taken for raising others. No, my friend; if troops be given me, it is not by loitering on the frontiers that I seek to give protection; they are to be defended, if defended at all, in a very different manner—by carrying the war into the heart of the enemy's country. All other hopes of defense are more visionary than dreams. What then is to be done? I'll tell you what. You have only to act with the energy and decision the crisis demands, and all will be well. Send me a force engaged for six

months, and I will answer for the result; but withholding it, and all is lost—the reputation of the State, and yours, and mine along with it."

If anything could arouse the Chief Executive of the State, this letter was capable of doing it, and it had that effect on the Governor, who became active and loyal and made this part of his career one of his very best. He set about raising twenty-five hundred men to rendezvous at Fayetteville on January 28, 1814, and the situation began to look better. On January 15, 1814, we find Jackson at Fort Strother with nine hundred recruits which had been brought to him as the result of his incessant appeals, letter writing and other influences he had put in motion to bring men to his support. Believing that these recruits would be less dissatisfied in action and motion than in sitting around camp, General Jackson undertook what he called an "excursion" of twelve days, in which was fought the battle of Emuckfau on December 22, 1813, in which Sandy Donelson, Coffee's aide and brother-in-law, was killed. Two days later the battle of Ennotochopco was fought, on December 24, 1813. Coffee estimates the loss of the Indians at two hundred killed and seventy wounded, four of whom afterwards died.

The battle of Emuckfau was fought by General Coffee's brigade consisting of the regiments of Colonels Sittler, Carroll and Higgins, and Captain Ferrill's company of infantry, numbering 930 men, joined by 300 friendly Indians under Chief Jim Fife.

At Ennotochopco there were engaged the regiments of Colonels Perkins, Carroll and Stump, supported by artillery under Lieutenant Robert Armstrong and Captain William Russell's company of Spies.

On February 6, 1814, the welcome information was brought to General Jackson that the 39th regiment of the United States infantry, six hundred strong, had arrived at Fort Strother. Col. John William's regiment was brought to the help of General Jackson through the influence of Judge Hugh Lawson White, who heard of the precarious situation of Jackson in the wilderness. White was a brother-in-law of Colonel Williams, who was getting ready to take his regiment to New Orleans under orders from the Secretary of War; but he agreed to the wisdom of the course suggested by Judge White. In addition to Colonel Williams' force a troop of dragoons came from East Tennessee.

COL. JOHN WILLIAMS.

Colonel John Williams, who so gallantly came to the help of Jackson by procuring a change of his instructions from the Secretary of War to take his regiment to New Orleans, was a great contributing factor in winning the Battle of the Horseshoe. He was born in Surry County, North Carolina, January 29, 1778; completed preparatory studies; Captain in the Sixth United States Infantry from April, 1799, to June, 1800; studied law in Salisbury, North Carolina, and was admitted to the bar in Knoxville, Tennessee in 1803, and there began practice; Captain of regular troops in the War of 1812 and Colonel of a regiment of East Tennessee mounted volunteers in the expedition against the Seminoles in Florida, 1812-1813; Colonel of the 39th United States Infantry June 18, 1813, and subsequently served under General Jackson in the expedition against the Creek Indians in Alabama; elected to the United States Senate as the successor of George W. Campbell, resigned, to fill the unexpired term from October 10, 1815, to March 3, 1817; again elected to the United States Senate for the full term and served from March 3, 1817, to March 3, 1823; charge d'affairs to the Central American Federation December 29, 1825, to December 1, 1826; elected to the State Senate of Tennessee; declined appointment as Justice of the Supreme Court of Tennessee, and died near Knoxville, August 10, 1837.

Niles' Register of December 26, 1812, publishes the following communication from Knoxville in reference to Col. John Williams and East Tennessee volunteers:

"Knoxville, Tenn., December 7, 1812.

"EAST TENNESSEE VOLUNTEERS:—Agreeably to the plan proposed by Col. John Williams, to raise a corps of volunteers to be employed on the Southern frontier, about forty or fifty active and enterprising men assembled at this place on Tuesday last, and pitched their camp about half a mile from town, preferring at once to enter on the character of soldiers, though the weather was bad, to accepting the invitations which every citizen was solicitous to offer. They were visited at their encampment by the farmers of the neighborhood, with tenders of provision and forage for themselves and horses. On Friday morning, their number having increased to one hundred and fifty, they took up their line of march by the Warm Springs and Buncombe Courthouse, N. C., for St. Mary's, Georgia, where it is their intention to offer their services to the commanding officer. It



COLONEL JOHN WILLIAMS

Commander of 39th Regulars, Battle of the Horse Shoe, and United States Senator from Tennessee
for six and a half years.

is ascertained that their number will exceed 200 before they pass the bounds of the State, as many are hastening preparations to follow and join the detachment. A finer looking company of men, or a company better armed, equipped and mounted, we have never seen. It is composed principally of the most conspicuous citizens of this section of the country, militia officers from the major-general of this division down to subalterns of companies, members of the legislature, attorneys at the head of their profession, merchants and citizens of the first respectability and wealth, are in the ranks.

"When it is known that the requisition from this State of 1500 militiamen, for the defense of the lower country, and two regiments for the northern territories, has been by the governor ordered from West Tennessee, and consequently the probability of a call for men from this quarter being done away, a proper estimate may be made of the patriotism of those composing this detachment, who have preferred thus to encounter the privations of a winter campaign, at the end of a journey of several hundred miles, on their own expense, in search of dangers in the service of their country, to remaining at home in the enjoyment of their families and friends, and the pursuit of their profitable business.

"Upon the suggestion that the few enrolled in this corps who were not men of wealth, might suffer from the want of funds, the citizens of Knoxville, with their characteristic liberality, subscribed and paid into the hands of one of the company, 300 dollars, to be used for the relief of such as may not have made proper provision for the expense of the campaign."

In 1825 before John Quincy Adams had been inaugurated President of the United States, he wanted to offer the position of Secretary of War to Colonel Williams, but was dissuaded therefrom by Henry Clay, who used the argument that the President-elect Adams needed strength in the State of New York and that the Secretary of War should come from that State.

A singular coincidence happened when Major Gideon Hazen Williams, a great-grandson of Colonel John Williams, married Marguerite Adams, a great-great-grand-daughter of John Quincy Adams, eighty-nine years after President-elect Adams wanted to appoint Colonel Williams Secretary of War. John Quincy Adams mentions the fact of his desire to appoint Colonel Williams in his diary.

The 39th regiment commanded by Colonel Williams was organized under the Act of Congress of January 29, 1813, and on May 17, 1815, was consolidated under the Act of Congress of March 3, 1815, with the 1st, 17th, 19th, 24th and 28th regiments

of infantry, to form the 3rd regiment of infantry; and so the 39th regiment that took part in the Battle of the Horseshoe and became historical in Tennessee, was merged out of existence. The following is the roster of the officers of the 39th during its short life from January 29, 1813, to May 17, 1815, namely: Colonel, John Williams, 18 June, 1813, to 17 May, 1815; Lieutenant Colonel, Thomas H. Benton, 18 June to 17 May, 1815; Majors: L. P. Montgomery, 29 July, 1813, to 27 March, 1814; William Peacock, 29 July, 1813, to 17 May, 1817; Uriah Blue, 13 March, 1814, to 17 May, 1815.

Captains: George Hallam, 29 July, 1813, to May, 1814, Henry Henegar, 29 July, 1813, to 15 June, 1815; John Jones, 29 July, 1813, to 1 May, 1824; John B. Long, 29 July, 1813, to 20 April, 1815; John Phelan, 29 July, 1813, to 15 June, 1815; William Walker, 29 July, 1813, to 15 June, 1815; Thomas Stuart, 29 July, 1813, to 15 June, 1815; Benjamin Reynolds, 29 July, 1813, to 15 June, 1815; John Phagan, 29 July, 1813, to 15 June, 1815; James Davis, 29 July, 1813, to 15 June, 1815; A. H. Douglas, 29 July, 1813, to 1 September, 1814; Samuel Wilson, 29 July, 1813, to 15 June, 1815; Benjamin Wright, 29 July, 1813, to 15 June, 1815, died 30 January, 1860; Barnard M. Patterson, 29 July to 15 June, 1815; James Gray.

First Lieutenants: Daniel Lauderdale, 29 July, 1813, to 11 January, 1814; James Sharp, 29 July, 1813, to 1 June, 1814; Nathaniel Smith, 29 July, 1813, to 17 January, 1837; Robert M. Somerville, 29 July, 1813, killed 27 March, 1814, in the battle of the Horseshoe; Joe L. Denton, 29 July, 1813, to 15 June, 1815; Wyly Martin, 9 August, 1813, to 21 July, 1823; Jesse O. Tate, 29 July, 1813, to 15 June, 1815; Joseph R. Henderson, 17 January, 1805, to 21 September, 1814; Davidson McMillan, 29 July, 1813, to 15 June, 1815; Guy Smith, 29 July, 1813, to 15 June, 1815; Ashley Stanfield, 29 July, 1813, to 1 December, 1814; James Leath, 29 July, 1813, to 15 June, 1815; Benjamin Duncan, 29 July, 1813, to 15 June, 1815; James McDonald.

Second Lieutenants: Machael C. Molton, 29 July, 1813, killed 27 March, 1814, in the battle of the Horseshoe; Samuel Houston, 24 March, 1813, to March 1, 1818, the first Governor of Texas, United States Senator, and died 25 July, 1863; M. W. McClellan, 29 July, 1813, to 15 June, 1815; Thomas C. Hindman, 29 July, 1813, to 30 June, 1816; Jacob K. Snap, 29 July, 1813, to 17 October, 1814; Norfleet Drotch, 25 March, 1814, to 14 March,

1815; Andrew Greer, 29 July, 1813, to 15 June, 1815; Isaac Pangle, 29 July, 1813, to 26 November, 1814; Simpson Payne, 29 July, 1813, to 15 June, 1815; Randolph Quarles, 29 July, 1813, to 15 June, 1815; M. F. DeGraffenreid, 26 March, 1814, to 31 October, 1817; Cornelius N. Lewis, 2 March, 1814, to 18 February, 1815.

Third Lieutenants: Ellis Thomas, 29 July, 1813, to 8 March, 1814; Joseph S. Jackson, 29 July, 1813, to 31 December, 1813; Robert B. Harney, 21 June, 1814, to 15 June, 1815; Andrew Cowan, 25 July, 1814, to 15 June, 1815; George W. Somerville, 25 April, 1814, to 24 January, 1815; Edward Jones, 21 June, 1814, to 15 June, 1815; Anthony Dearing, 21 June, 1814, to 15 June, 1815; Anthony Palmer, 1 June, 1814, to 15 June, 1815; William A. Covington, 21 June, 1814, to 15 June, 1815; Dicks Alexander, 17 March, 1814, to 15 June, 1815; Joseph Dennison, 5 November, 1813, to 26 November, 1814, died 14 January, 1815; J. M. Armstrong.

Ensigns: John McHenry, 29 July, 1813, died March, 1814; Joel Parrish; Thomas Easten; J. H. Anderson.

Surgeon's Mate: John H. Read, 29 July, 1813, to 1 October, 1814.

In a letter written from Fort Strother, February 8, 1814, to Major John Reid, General Jackson said:

"Colonel Williams of the 39th regulars has received orders from General Flournoy to repair with his command to New Orleans. I have detained him for orders from General Pinckney; if he is taken from me my main prop is gone, and I will have to risk my character and the public service with raw, inexperienced troops, commanded, perhaps, by raw, inexperienced officers."

In another letter from Fort Strother on February 21, 1814, to Major William B. Lewis, General Jackson said:

"I am truly happy in having the Colonel (Williams) with me. His regiment will give strength to my arm and quell mutiny."

Illustrating the utter uncertainty of life, the whirligig of human affairs, it transpired that in 1823 when Colonel John Williams' term expired as United States Senator, it was necessary for the opposition to find somebody with whom to defeat him, and as a last resort, General Jackson himself was taken up as a candidate for that purpose, and succeeded in an election held by the Legislature then sitting at Murfreesboro. It is unnecessary here to go into the details of the differences between

General Jackson and Colonel Williams after the battle of the Horseshoe. It is sufficient to show the origin of these differences, to say that Colonel Williams thought that after he had procured a change in the orders of the Secretary of War and gone such a distance through the wilderness to the help of General Jackson, who was then in the midst of his troubles with mutinous troops in Alabama, and had led the assault over the breastworks with the 39th regiment in the battle of the Horseshoe, that the services of his regiment were not adequately recognized by the General in his report of the battle to Willie Blount, Governor of Tennessee.

General Jackson's entry into the race for United States Senator before the Legislature was brought about by Judge John Overton, who was attending the session of the Legislature at Murfreesboro attempting to defeat Colonel Williams for re-election to the Senate. The strength of a number of candidates was tested, and it was found that none of them could defeat Williams. Judge Overton concluded that it could only be done by General Jackson himself. He took a night ride from Murfreesboro to the Hermitage and arrived when the General was at breakfast, and laid the situation before him. He argued that it would never do for Colonel Williams to be elected to the United States Senate, as he was pledged to William H. Crawford of Georgia for the Presidency, and as General Jackson at that time was being put forward by his friends also for the Presidency. The Judge pressed his argument that it would be fatal to Jackson's candidacy for President for Tennessee to send a Crawford man to the Senate. General Jackson yielded and consented to the use of his name, and Judge Overton returned at once to Murfreesboro, and on a ballot being taken General Jackson was elected by seven votes.

After his defeat for the Senate in 1823 Colonel Williams consented in 1825, upon the urgent solicitation of his friends, to be a receptive candidate for the State Senate from Knox and Anderson counties. His opponents were active, while Williams maintained his position that he was merely a receptive candidate and would not actively attempt to secure his election, and in the race he was defeated by Colonel Anderson by a few votes.

In 1827 he became an active candidate for the State Senate and Colonel Anderson was again his opponent. The race produced much excitement and both his political friends and enemies were very active, and some bitterness became manifest.

Judge Hugh Lawson White took the stump for Colonel Anderson and there was a joint canvass between him and Colonel Williams. One of the issues in the canvass was to the disadvantage of Colonel Anderson. In the Legislature of 1825 there was a spirited contest as to the location of the permanent capitol of the State. Three cities entered the contest—Knoxville, Murfreesboro and Nashville—for the coveted prize. Colonel Anderson did not vote in the election. It was alleged that he had three brothers, one living in Knoxville, one in Murfreesboro and one in Nashville, and his failure to vote was because he did not want to offend either of them and hence it was averred that he failed to represent his immediate constituents. In any event, whatever the cause, Colonel Williams was overwhelmingly elected.

While in the State Senate Colonel Williams sought the passage of a bill to authorize an appeal to the Supreme Court of the United States from a decision of the Supreme Court of Tennessee which held that a treaty between the United States and the Indians then living in Tennessee, in respect to certain lands, was superior in title to a grant from the State of North Carolina prior to the Cession Act of 1789. His speech in the Senate in support of the bill was published in the December 5, 1827, issue of the *Knoxville Enquirer*, and exhibited him as an able and profound lawyer. The speech occupied seven columns of the *Enquirer* and went very thoroughly into the question of the original ownership of land by uncivilized tribes. The speech was worthy of the United States Senate of which he had been a member for eight years. If such a speech were made in the Legislature of Tennessee today, it would be a revelation of brains and statesmanship such as State Legislatures very rarely witness anywhere in the United States.

At the time of the election to the State Senate, there were only three voting precincts in Knox County, namely, Campbell Station, Knoxville and Gibbs', and great crowds would assemble at the polls. An incident occurred at the Knoxville voting place that is worthy of note to show the fidelity and loyalty of one of Colonel Williams' old family servants by the name of Job. Job attended the Knoxville precinct, and was assiduous all day long in hunting up Williams men, and when one was found willing to be carried, he would place the voter on his shoulders with his feet in front and carry him to the polls where the voter deposited his ballot. This was done all day long to the great amusement of

spectators at the polls. But Job's enthusiasm did not stop with this. That night, after it became known that Colonel Williams was elected, he took down his fiddle and the current report was that he played all night long in manifestation of his joy at the result of the election, and that he tested the full physical strength of his wife in getting her to dance while he played.

THE BATTLE OF THE HORSESHOE.

By the end of February Jackson's new army numbered five thousand men and the next move was one which was to crush the Creek nation and to remove the danger of warfare by them for all time to come. This finishing blow was administered at the battle of Horseshoe Bend. Colonel Williams and Major Lemuel Purnell Montgomery, after the battle opened, were the first two on top of the log fortifications behind which the Indians fought, and Major Montgomery was shot dead. They were followed by Sam Houston, who was shot with an arrow.

Colonel Albert James Pickett in his history of Alabama gives the following as the record of Colonel Montgomery:

COLONEL ALBERT JAMES PICKETT ON MAJOR MONTGOMERY.

"Major Lemuel Purnell Montgomery was born in Wythe County, Virginia, in 1786. He was a relation by consanguinity of the gallant general of that name who fell at the storming of Quebec. His grandfather, Hugh Montgomery, of North Carolina, a man of fortune and talents, commanded a Whig company during the Revolution which he equipped and supported at his own expense. With this company he fought the British and Tories with great success. He was a member of the convention which formed the Constitution of the State of North Carolina, and not long afterwards, one of the counties of that State was named in honor of him. The father of Major Montgomery, also named Hugh, was a man of talents and having removed to Virginia, was a member of the Senate of that State. At Snow Hill in Maryland he married a lady whose maiden name was Purnell, which was the middle name of her son, the brave Major, who fell at the Horse-Shoe. The father removed from Virginia to East Tennessee, near Knoxville."

Major Montgomery completed his education at Washington College, Tennessee, studied law with Judge Trimble of Knoxville, and established himself in that profession at Nashville, where in four years his attainments, eloquence, zeal, fearless independence and popular bearing rendered him a formidable rival of the

able Felix Grundy. During this period he was frequently placed at the head of parties of armed horsemen, and with them he scoured the dark gorges of the Cumberland Mountains in pursuit of desperate bandits who had long pillaged the people in the valleys. At length he was appointed by Madison as Major of the 39th regiment, which he gallantly led to the breastworks of the Indians at the Horse-Shoe. He was the first man that mounted the breastworks, and, while waving a sword and animating his men, a large ball shot from the rifle of a Red Stick, entered his head and instantly killed him. When the battle was ended Jackson stood over his body and wept. He exclaimed, 'I have lost the flower of my army.'

"At the time of his death Major Montgomery was only 28 years of age. His eyes were keen and black, his hair was of a dark auburn color, his weight was 175 pounds, his height was six feet and two inches, his form was admirably proportioned, and he was altogether the finest looking man in the army."

"Major Montgomery's father gave the town site of Jacksboro, the county seat of Campbell County, Tennessee, and he is buried north of Jacksboro on a prehistoric mound. Montgomery, Alabama, was named for Major Montgomery. His mother was related to the Donelsons."

Colonel Gideon Morgan was in command of the friendly Cherokee Indians in the battle, who were the mortal and traditional enemies of the Creeks.

After the battle General Jackson expressed profound gratitude to Colonel Williams for the invaluable aid the 39th had rendered, saying to him: "Sir, you have placed me on the high-road to military fame."

The flag that Ensign Houston bore in the battle is now in the city of Knoxville in the possession of a grand-daughter of Colonel John Williams, and was made by the wife of Chancellor Thomas L. Williams who went with Hugh Lawson White and Luke Lea to Jackson in the wilderness to ascertain what assistance could be rendered him in his trouble when mutiny was in his camp. Mrs. Williams was a grand-daughter of General James White, the founder of Knoxville, and daughter of Charles McClung, and sister of Hugh L. and Matthew McClung, of Knoxville. The sentiment "By obedience, unanimity, coolness and bravery the soldier ensures safety to his standard," was worked by needle on the blue folds of the flag.

Fortunately the report of the battle of Horse-Shoe Bend has been preserved in Jackson's own words, and is in the Tennessee Historical Society at Nashville in the handwriting of General Jackson. The map with which he accompanied the report is herewith reproduced in fac simile. The American Historical magazine issued at Nashville, which published a large number of the manuscripts of the Tennessee Historical Society in the October, 1899, number, says that General Jackson's report of the battle of Horse-Shoe Bend was found in a building used by Governor Willie Blount as an office in Clarksville, Tennessee, and when the building was torn down, this report and many other valuable papers came to light. The report was presented to General W. A. Quarles who gave it to his nephew, R. T. Quarles, who presented it to the Tennessee Historical Society.

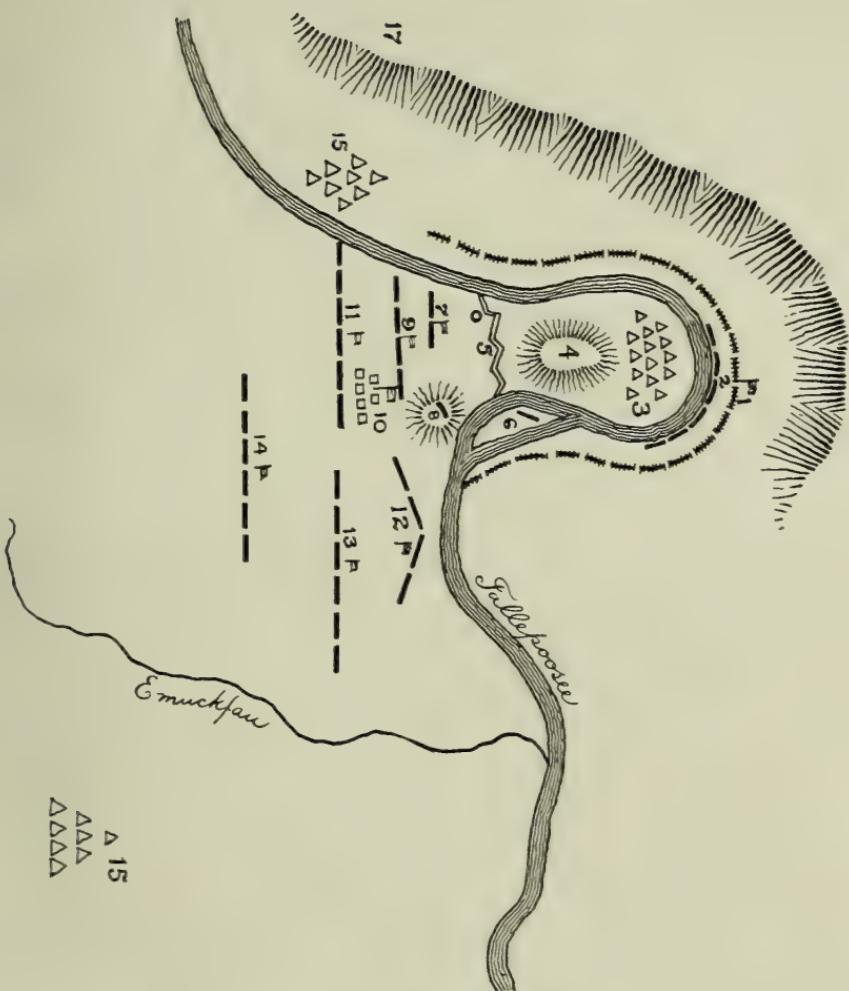
"H. Williams, 31st March, 1814.

"His Excellency, Willie Blount:

"Sir: I am just returned from the expedition which I advised you in my last I was about to make to the Tallapoosa; & hasten to acquaint you with the good fortune which attended it.

"I took up the line of march from this place on the morning of the 24th inst., & having opened a passage of fifty-two & a half miles, over the ridges which divide the waters of the two rivers, I reached the bend of the Tallapoosa, three miles beyond where I had the engagement of the 22nd January & at the southern extremity of Newyouka on the morning of the 27th. This bend resembles in its curvature that of a horse-shoe, & is thence called by that name among the Whites. Nature furnishes few situations so eligible for defense; & barbarians have never rendered one more secure by art. Across the neck of land which leads into it from the North, they had erected a breast-work of the greatest compactness & strength, from five to eight feet high, & prepared with double rows of portholes very artfully arranged. The figure of this wall manifested no less skill in the projectors of it than its construction: an army could not approach it without being exposed to a double & cross-fire from the enemy who lay in perfect security behind it. The area of this peninsula, thus bounded by the breastwork, includes, I conjecture, eighty or a hundred acres.

"In this bend the warriors from Oakfurkee, Oakchoya, Newyouka, Hellabee, the Fish-ponds, & Eufaula towns, apprised of our approach, had collected their strength. Their exact number cannot be ascertained; but it is said, by the prisoners we have taken, to have been a thousand. It is certain they were very numerous; & that relying with the utmost confidence upon their strength, their situation, & the assurances of their prophets, they calculated on repulsing us with great ease.



LOCATION OF TROOPS AND PLANS

- | | |
|-----------------------|--|
| 1—Coffee Cavalry. | 10—Wagons, packhorses and wounded in centre. |
| 2—Cherokees. | 11—Colonel Copeland. |
| 3—Indian Village. | 12—East Tennessee Militia. |
| 4—High grounds. | 13—Colonel Cheatham. |
| 5—Breast works. | 14—Rear guard. |
| 6—Island. | 15—Emuckfau—old battle ground. |
| 7—Advance guard. | 16—New Youcau—Burnt before. |
| 8—Hill and artillery. | 17—High hills. |
| 9—Regulars. | ○—Angle at which Montgomery fell. |

Plan of Battle of Horse Shoe Bend sent by General Jackson with his report of the battle to Governor Blount of Tennessee.

"Early on the morning of the 27th, having encamped the preceding night at the distance of six miles from them, I detailed Genl. Coffee with the mounted men & nearly the whole of the Indian force, to pass the river at a ford about three miles below their encampment, & to surround the bend in such a manner that none of them should escape by attempting to cross the river. With the remainder of the forces I proceeded along the point of land which led to the front of their breastwork; & at half past ten o'clock A. M. I had planted my artillery on a small eminence, distant from its nearest point about eighty yards, & from its farthest, about two hundred & fifty; from which I immediately opened a brisk fire upon its centre. With the musketry and rifles I kept up a galling fire whenever the enemy shewed themselves behind their works, or ventured to approach them. This was continued, with occasional intermissions, for about two hours, when Capt. Russell's company of spies & a part of the Cherokee force, headed by their gallant Chieftain, Col. Richard Brown, & conducted by the brave Col. Morgan, crossed over to the extremity of the peninsula in canoes, & set fire to a few of their buildings which were there situated. They then advanced with great gallantry towards the breastwork, & commenced firing upon the enemy who lay behind it.

"Finding that this force, notwithstanding the determined bravery they displayed, was wholly insufficient to dislodge the enemy, & that Genl. Coffee had secured the opposite banks of the river, I now determined upon taking possession of their works by storm. Never were men better disposed for such an undertaking than those by whom it was to be affected. They had entreated to be led to the charge with the most pressing importunity, & received the order which was now given with the strongest demonstrations of joy. The effect was such, as this temper of mind, foretold. The regular troops, led on by their intrepid & skillful commander Col. Williams, & by the gallant Major Montgomery were presently in possession of the nearer side of the breastwork; & the militia accompanied them in the charge with a vivacity & firmness which could not have been exceeded & has seldom been equalled by troops of any description. A few companies of Genl. Doherty's Brigade on the right, were led on with great gallantry by Col. Bunch—the advance guard, by the adjutant genl., Col. Eitter, and the left extremity of the line by Capt. Gordon of the spies, & Capt. McMurry, of Genl. Johnston's Brigade of West Tennessee militia.

"Having maintained for a few minutes a very obstinate contest, muzzle to muzzle, through the port-holes, in which many of the enemy's balls were welded to the bayonets of our muskets, our troops succeeded in gaining possession of the opposite side of the works. The event could no longer be doubtful. The enemy, altho many of them fought to the last with that kind of bravery which despiration inspires, were at length entirely routed

& cut to pieces. The whole margin of the river which surrounded the peninsula was strewed with the slain. Five hundred & fifty seven were found by officers of great respectability whom I had ordered to count them; besides a very great number who were thrown into the river by their surviving friends, & killed in attempting to pass it, by Genl. Coffee's men, stationed on the opposite banks. Capt. Hammonds who with his company of spies occupied a favourable position opposite the upper extremity of the breast-work, did great execution; & so did Lieut. Bean, who had been ordered by Genl. Coffee to take possession of a small Island fronting the lower extremity.

"Both officers and men who had the best opportunities of judging, believe the loss of the enemy in killed, not to fall short of eight hundred, & if their number was as great as it is represented to have been, by the prisoners, & as it is believed to have been by Col. Carroll & others who had a fair view of them as they advanced to the breastworks, their loss must even have been more considerable—as it is quite certain that not more than twenty can have escaped. Among the dead was found their famous prophet Monahoe—shot in the mouth by a grape shot; as if Heaven designed to chastise his impostures by an appropriate punishment. Two other prophets were also killed—leaving no others, as I learn, on the Tallapoosa.

"I lament that two or three women & children were killed by accident.

"I do not know the exact number of prisoners taken; but it must exceed three hundred—all women & children except three or four.

"The battle may be said to have continued with severity for about five hours; but the firing & the slaughter continued until it was suspended by the darkness of the night. The next morning it was resumed, & sixteen of the enemy slain who had concealed themselves under the banks.

"Our loss was twenty-six white men killed, & one hundred and seven wounded. Cherokees, eighteen killed, & thirty six wounded, friendly Creeks 5 killed & 11 wounded.

"The loss of Col. Williams' regt. of Regulars is seventeen killed and fifty-five wounded; 3 of whom have since died. Among the former were Maj. Montgomery, Lieut. Somerville, & Lieut. Moulton, who fell in the charge which was made on the works. No men ever acted more gallantly or fell more gloriously.

"Of the Artillery company, commanded by Capt. Parish, eleven were wounded; one of whom, Lieut. Gaines, has since died. Lieutenants Allen & Ridley were both wounded. The whole company acted with its usual gallantry. Capt. Bradford, of the 17th U. S. Infantry, who acted as Chief Engineer, & superintended the firing of the cannon, has entitled himself by his good conduct, to my warmest thanks."



Statues of Sam Houston and Thomas H. Benton, Statuary Hall, Capitol, Washington, D. C.

"To say all in a word the whole army who achieved this fortunate victory, have merited by their good conduct, the gratitude of their country. So far as I saw, or could learn there was not an officer or soldier who did not perform his duty with the utmost fidelity. The conduct of the militia on this occasion has gone far towards redeeming the character of that description of troops. They have been as orderly in their encampment & on their line of march, as they have been signally brave in the day of battle.

"In a few days I shall take up the line of march for the Hickory ground, & have everything to hope from such troops.

"Enclosed I send you Genl. Coffee's Brigade report.

I have the honor to be
with great respect

Your obt st
ANDREW JACKSON,
Major Genl."

JACKSON'S REPORT TO MAJOR-GENERAL PINCKNEY.

"Horse-Shoe Bend, March 28, 1814.

"Sir:

"I feel peculiarly happy in being able to communicate to you the fortunate eventuation of my expedition to the Tallapoosa. I reached the bend near Emucfau (called by the whites the Horse-Shoe), about 10 o'clock in the forenoon of yesterday, where I found the strength of the neighboring towns collected; expecting our approach, they had gathered in from Oakfuskee, Oakohaga, New Yaucau, Hillibees, the Fish Pond, and Enfaulee towns, to the number it is said of 1,000. It is difficult to conceive a situation more eligible for defence than they had chosen, or one rendered more secure by the skill with which they had erected their breast-work. It was from five to eight feet high, and extended across the point in such a direction as that a force approaching it would be exposed to a double fire, while they lay in perfect security behind. A cannon planted at one extremity could have raked it to no advantage.

"Determining to exterminate them, I detached General Coffee with the mounted men and nearly the whole of the Indian force early on the morning of yesterday, to cross the river about two miles below their encampment, and to surround the bend in such a manner as that none of them should escape by attempting to cross the river.

"With the infantry I proceeded slowly and in order along the point of land which led to the front of their breast-work; having planted my cannon (one six and one three pounder) on an eminence at the distance of 150 to 200 yards from it, I opened a very brisk fire, playing upon the enemy with the muskets and rifles whenever they showed themselves beyond it; this was kept up, with short interruptions, for about two hours, when a part of the Indian force, and Captain Russell's and Lieutenant Bean's com-

panies of spies, who had accompanied General Coffee, crossed over in canoes to the extremity of the bend and set fire to a few of the buildings which were there situated; they then advanced with great gallantry towards the breast-work, and commenced a spirited fire upon the enemy behind it. Finding that this force, notwithstanding the bravery they displayed, was wholly insufficient to dislodge them, and that general Coffee had entirely secured the opposite bank of the river, I now determined to take their work by storm. The men by whom this was to be effected had been waiting with impatience to receive this order, and hailed it with acclamation.

"The spirit which animated them was a sure augury of the success which was to follow. The history of warfare I think furnishes few instances of a more brilliant attack, the regulars, led on by their intrepid and skillful commander Colonel Williams, and by the gallant Major Montgomery, soon gained possession of the works, in the midst of a most tremendous fire from behind them, and the militia of the venerable General Doherty's brigade accompanied them in the charge with a vivacity and firmness which would have done honour to regulars. The enemy were completely routed. Five hundred and fifty-seven were left dead on the peninsula, and a great number of them were killed by the horsemen in attempting to cross the river; it is believed that no more than ten had escaped.

"The fighting continued with some severity about five hours, but we continued to destroy many of them who had concealed themselves under the banks of the river until we were prevented by the night. This morning we killed 16 which had been concealed. We took 250 prisoners, all women and children except two or three. Our loss is 106 wounded and 26 killed. Major M'Intosh (the Cowetau) who joined my army with a part of his tribe, greatly distinguished himself. When I get an hour's leisure I will send you a more detailed account.

"According to my original purpose, I commenced my return march to Fort Williams to-day, and shall, if I find sufficient supplies there, hasten to the Hickory Ground. The power of the Creeks is, I think, forever broken.

"I send you a hasty sketch, taken by the eye, of the situation on which the enemy were encamped, and of the manner in which I approached them.

"I have the honour to be, with great respect, your obedient servant,

"Major-General Pinckney."

"ANDREW JACKSON,
"Major-General.

GENERAL COFFEE'S ACCOUNT.

General Coffee at Fort Williams wrote an account of the Horse-shoe on April 1:

"We found the enemy enforted in the bend of the river, with a very strong breastwork. Before we reached them, six miles, I was detached with seven hundred mounted men, and six hundred friendly Indians to cross the river three miles below, and take posession of the opposite side of the river, to prevent the enemy from crossing, and escaping our army when attacked. All our plans were executed to great advantage indeed. Just as I had formed my men in line, about a quarter of a mile from the river, the cannon of our army in front commenced firing; and before one Indian crossed the river we had possession of the bank. The greater part of the enemy fought with savage fury, while others of them ran in all directions, throwing themselves into the river, and attempting to swim over; but not one escaped in that way.

"The battle commenced at half after ten in the morning and continued until night. Our cannon played on their breastwork near two hours, together with a great discharge of small arms, when our men charged their walls by storm, which was done with great vigor and success. Before we stormed their works, the friendly Indians had got in the rear of the enemy, which prevented them from flying back to their buildings. They stood the charge to admiration, and it was not unusual for the muzzles of the guns of both parties to meet in the portholes, and both fire at the same time. But the enemy was obliged to fly to the river; when all the remaining part, that had not been killed before, were shot in the water, except a few that hid under the banks of the river, whom our men continued to find and kill until it became too dark to see. Perhaps fifteen or twenty swam out that night, which is all that escaped. The slaughter was greater than all we had done before. We killed not less than eight hundred and fifty or nine hundred of them, and took about five hundred squaws and children prisoners. The Hickory Ground is the next object; but how soon, we cannot tell. Our horses are worn down, and I fear will die. I will only add that things are quite different here to what they were in our former army. All is now content—no murmuring to be heard."

COLONEL GIDEON MORGAN, COMMANDER OF THE CHEROKEES,
TO WILLIAM G. BLOUNT, SECRETARY OF
STATE IN NASHVILLE.

The Colonel Gideon Morgan who commanded the friendly Cherokees at the battle of the Horse-shoe, has numerous descendants living in Tennessee and especially in and near Knoxville. Colonel Morgan addrdssed a letter to Secretary of State William G. Blount giving an account of the battle, which is one of the clearest and best written of any in reference to the engagement. Colonel Morgan was shot but fortunately not fatally. His letter follows:

"Fort Williams, April 1, 1814.

"You have been informed of our departure from Fort Strother and arrival at this place on the 21st March. On the 24th General Jackson took up his line of march for Tohopeka, or fortified town on the Tallapoosa, commonly called the 'Horse-shoe'—on the evening of the 28th he encamped about six miles northwest of it—the army next morning was divided into two divisions. The horse and Indians commanded by General Coffee crossed the river two miles below the town with directions to line the bank in the whole extent of the bend by the Cherokees and friendly Creeks—while the horse acted as a guard upon the high ground to defend our rear from an attack from the Oakfuskee Indians, who were expected from below. This precaution was, however, unnecessary as their whole force had been concentrated the day before. General Coffee had arrived on the opposite shore, about half a mile below the town, when General Jackson's approach before the fortification was announced by the discharge of artillery, and in quick succession that of a brigade of infantry. The Cherokees immediately rushed to the point assigned them, which they did in regular order, and in a manner honorable to themselves—that is, the bank was in no place left vacant, and those fugitives who had taken to flight fell an easy prey to their vengeance.

"The draft which Lieutenant Rece incloses will give you a better descripton of the place than I can, to which I refer. The breastwork was composed of five large logs, with two ranges of portholes, well put together. Artillery had no effect, more than to bore it wherever it struck; nature had done much, but when completed by art, the place was formidable indeed. The high ground which extended about midway from the breastwork to the river was in some manner open, but the declivity and flat which surrounded it was filled with fallen timber, the growth of which was very heavy, and had been so arranged that every tree afforded them a breastwork, forming a communication or cover to the next, and so on to the river bank, in which caverns had been dug for their security and our annoyance. The breastwork in its whole extent was lined by savages, made desperate from their situation. The Thirty-ninth was drawn up on the left in a line extending from the center to the river bank; the right was occupied by the militia, the artillery on an eminence 200 yards in rear of the breastwork, on which it kept up a steady and well directed fire, though without effect.

"In this manner the battle became stationary for some time, say one hour, when the Cherokees crossed the river by swimming and brought from the opposite shore a number of canoes, in which they crossed under cover of the town and their own guns; they halted under cover of the bank, and the canoes were sent back for reinforcement. Understanding General Jackson was about charging the breastworks in its whole extent, I rode with all possible dispatch to inform Major Montgomery, who commanded the left

of the Thirty-ninth, on the river above. On my return about 150 or 200 Cherokees had crossed and were then warmly engaged with the hostile Creeks. I then crossed with Major Walker and 30 others and ascended the high ground, which the Cherokees were then in possession of. We were warmly assailed on every quarter except our rear, where we only kept open by the dint of hard fighting. The Cherokees were continually crossing, and our number increased in about the proportion in which the Creeks were diminished, who lay prostrate in every quarter. Their numbers were vastly superior to ours, but were occupied in maintaining their breastworks, which they appeared determined never to surrender. About one hour after my arrival on the summit I received a wound in the right side of my head which had like to have terminated my existence. I, however, in a short time recovered, and heard the heavenly intelligence that the Thirty-ninth had charged and were then in possession of the breastworks. This was an arduous undertaking, and the cool, deliberate manner in which it was effected reflects the highest credit on this bulwark of our army.

"I shall not attempt a description. In the detailed official account justice no doubt will be done them. The fight commenced seventeen minutes after ten and continued without intermission until dark; the next morning some were killed who, it appears, were determined never to quit their enchanted ground. On counting their dead, 557 were found on the field, many I know perished in crossing, and numbers were sunk in the river. The whole loss in killed could not be less than 700 or 800. The loss of the Thirty-ninth, 72 killed and wounded. Major Montgomery, Lieutenant Sommerville, and Lieutenant Moulton were among the former. The loss of the Cherokees, 18 killed and 35 wounded, many badly. The Cherokees have been permitted to return to their homes."

CELEBRATION OF THE BATTLE.

On August 6, 1907, the Legislature of Alabama passed an Act creating a commission of seven members composed of the Governor of the State, the Director of the Department of Archives and History and five others to be appointed by the Governor, authorized to prepare plans and details for the appropriate celebration on or about March 27th, 1914, of the 100th anniversary of the battle of Horse-shoe Bend which occurred on March 27, 1814.

On March 3, 1909, this commission presented a memorial to the Congress of the United States praying Congress to establish a military park on the battlefield of Horse-shoe Bend. On March 27th, 1914, what was called a preliminary anniversary was held on the field of the battle, and on July 4, 1914, a second celebration was held continuing all day and embodying a very elaborate program. His Excellency Emmet O'Neal, Governor of

Alabama, presided at the exercises and delivered the address of welcome, and distinguished people from a number of States made addresses. Descendants of General John Coffee, Colonel John Williams and Colonel Gideon Morgan, all of whom took part in the battle, were presented to the audience, and among these was Miss Marion Sevier Rogers of Fort Gibson, Oklahoma, who was a great, great, grand-daughter of Governor John Sevier of Tennessee. Mrs. Nora E. Miller, of Dadeville, Alabama, was also presented, by whom the site was given for the monument to be erected by the United States Government.

Presentation was made to the Governor of the deed to the land on which the battle of Emuckfau was fought January 22, 1914.

Hon. John Trotwood Moore of Nashville read an original poem on Andrew Jackson.

FORT JACKSON.

General Jackson established Fort Jackson at the junction of Coosa and Tallapoosa rivers in the Holy Ground and there received deputations of Indians looking to a treaty of peace. On April 20th, 1814, General Thomas Pinckney, a Major General of the regular army, reached Fort Jackson and took command, and General Jackson's forces took up the march to Fayetteville, Tennessee, where they were dismissed from the service and the General started to his home.

In May, 1814, General Harrison had a misunderstanding with the Secretary of War which led to the General's resignation, and General Jackson was appointed in his place as Major General of the army of the United States.

After his appointment as a Major General he was ordered by the War Department to make a treaty with the Creeks which was done on August 10, 1814.

The Treaty of Fort Jackson contained nine articles of which the following is an abstract:

Article 1. The United States demanded as an equivalent for the expense incurred in prosecuting the war to its termination a boundary of Creek territory set out and described in this article.

Article 2. The United States guaranteed to the Creek Nation the integrity of all their territory eastwardly and northwardly of the territory ceded.

Article 3. The United States demanded that the Creeks abandon all communication with any British or Spanish post, garrison, or town, and that they should not admit any commercial agent among them except such as might be licensed by the United States.

Article 4. The United States demanded an acknowledgment of the right to establish military posts, trading houses, and to open roads in the territory guaranteed to the Creeks.

Article 5. The United States demanded the surrender of all persons and property taken from citizens of the United States and the friendly Creeks, Cherokees, Chickasaws and Choctaws, and that the United States would cause to be restored to the Creeks all property taken from them since their submission.

Article 6. The United States demanded the surrender of all of the prophets and instigators of the war who had not submitted to the arms of the United States, if ever they should be found within the territory guaranteed to the Creek Nation.

Article 7. The United States agreed to furnish gratuitously the necessities of life until the corn crops of the Creeks were considered sufficient to yield them a supply.

Article 8. A permanent peace should ensue from the date of the treaty forever between the Creeks and the United States, and between the Creeks, Cherokees, Choctaws and Chickasaws.

Article 9. If in running the line east from the mouth of a creek named the settlements of the Kinnards should fall within the territory ceded to the United States, the line should be changed so as to exclude the said settlements from the ceded territory.

After the treaty of Fort Jackson General Jackson's next move was to successfully defend Fort Bowyer at Mobile Bay from an assault by the British fleet, and he then moved on to New Orleans which he was to successfully defend in a battle which has been the wonder of every historian who has written about it.

CHAPTER 30.

Andrew Jackson—The Battle of New Orleans—
Speech of Congressman John W. Gaines
on the Battle—Jackson and Federal
Judge Hall—Refunding Jackson's
Fine by Congress.

Edward Pakenham, the Commander of the British force at New Orleans which Andrew Jackson defeated in twenty-five minutes in the early morning of January 8, 1815, was a brother-in-law of the Duke of Wellington—the Duke having married his sister—was thirty-seven years old, had served in the army twenty years, and was appointed Commander on the recommendation of Wellington. He had a great record in the Peninsular war under Wellington, and, at the Battle of Salamanca in Spain, July 2, 1812, commanded the Third Division, known as the "Fighting Third," and by his handling of that Division won the battle. After this battle Wellington wrote about him: "Pakenham may not be the brightest genius, but my partiality for him does not lead me astray when I tell you that he is one of the best we have."

His first independent command was at New Orleans to which point he sailed from Portsmouth, England, in November, 1814, and took charge of the British forces before New Orleans on Christmas Day following:

The British made three distinct assaults on Jackson's army, the first on the night of December 23, 1814, the second on the morning of January 1, 1815, and the third, which is called the Battle of New Orleans, on the morning of January 8, 1815.

Charles Francis Adams says in one of his Military Studies that Pakenham in England even more than in America, is an almost forgotten military character. The reason for this in England is not difficult to ascertain. The English regarded the War of 1812 as a small affair compared to the Napoleonic wars, and so it was. Bonaparte taxed England's finances and man power to the limit. Pakenham lost the battle of New Orleans and met with that oblivion which is the usual portion of the unsuccessful



Andrew Jackson on Sam Patch, a magnificent white horse presented to him by citizens of Pennsylvania.

—whether generals or others. But even if he had won the battle he would have acquired no special distinction in the English mind, as they were accustomed to express themselves in contemptuous terms of the backwoods Americans as soldiers and fighters.

But there is every reason why the Americans should remember General Pakenham at his full measure of ability and leadership; for to do otherwise is to lessen the claims of Jackson to military distinction because of winning the Battle of New Orleans. History would accord no credit to Jackson for having defeated a military pygmy or novice, and Pakenham was neither; he had won solid fame in the bloody Peninsular War.

Those twenty-five minutes of marvelous success on January 8, 1815, won the Presidency for Jackson, and a fame that at this time—one hundred and two years afterwards—shows no sign of lessening.

If the telegraph or ocean cable had been in use in those days there would have been no Battle of New Orleans, and Jackson's fame as a Commander would have risen no higher than the Battle of the Horseshoe.

On December 24, 1814, the envoys of the United States and Great Britain at Ghent signed a treaty of peace between the two nations, and on the 26th of December, Henry Carroll, one of the Secretaries of the American envoys, started for the United States with a copy of the treaty, and on January 2, 1815, sailed from Portsmouth, England, for New York, where he landed on Staurday February 11th, 1815, at the Battery. The next day, Sunday, he started for Washington, where he arrived on Tuesday night, and went at once to Secretary of State, James Monroe, and the two proceeded to President James Madison, who was living at the time in a private residence, the White House having been burned by the British a few months before.

General Jackson arrived at New Orleans December 2, 1814, and found there a city of about twenty thousand population made up of Spaniards, French Creoles and Americans; all the elements but the Americans lacking enterprise and loving pleasure and luxury. The city was not rich, as the cotton and sugar trade which subsequently became the basis of its wealth, was not then developed. As it was on the frontier, it was like frontier towns generally, the resort of the floating and the criminal population of the country.

Two weeks after General Jackson's arrival, or about the middle of December, the following troops were what he had to rely upon to defend the city: two regiments of regular troops numbering about eight hundred; Major Planches' volunteers of about five hundred; two regiments of State militia poorly equipped; a battalion of free negroes; altogether about two thousand men. The schooner Carolina and the ship Louisiana were anchored in the river, but neither of them manned. Commodore Patterson and other naval officers were in the city ready for such services as they could render. General Coffee was en route with his men from Pensacola. General Carroll had raised a force of volunteers in Tennessee, and was floating down to New Orleans, with only about one-tenth of his men equipped with arms. Fortunately there was a boat load of muskets being transported to New Orleans by water, and General Carroll took these and drilled his men while floating on the water. These muskets had been shipped by boat at Pittsburg. General Thomas and General Adair were also on their way down the Mississippi with two thousand Kentuckians, poorly provided for and lacking almost every equipment necessary for a military campaign. They had the good fortune to overtake a boat load of flour en route and supplied themselves with bread. There were six gunboats on Lake Borgne.

GOV. WILLIE BLOUNT TO CARROLL'S ARMY.

Previous to the army under General Carroll leaving Nashville, for New Orleans, the troops were formed and the following address delivered on November 20, 1814:

"FELLOW CITIZENS:

"This address will be handed to you by Colonel Hynes, Adjutant General of the militia of Tennessee.

"The degree of satisfaction felt by the executive of the state at the promptitude and equipment on their part of the militia, in attending the call to arms upon the present occasion, ready to act, commands an expression to them, to be given of his grateful sense of their patriotism and zeal; his gratification is great indeed; and their promptitude is duly appreciated. It is a sure pledge of future good conduct; no evidence, short of good conduct in battle, could be a stronger one of true love of country.

"Go forth, meet, vanquish the enemy to your peace, and at the end of your service, return crowned with laurels, well entitled to the plaudits of your countrymen, whose good opinion, with the liberality and justice of government in your favor, together with self approbation for good conduct, constitutes a full reward for any services.

"To be useful to our country should be the motto of each man. Your pride will be, in all you do, to realize the high expectations entertained of your valor. Each should bear in mind, at all times, that he goes into the service of his country as a patriot, as a distinguished citizen, and a good soldier, to contend with his enemy, in a just war, declared by his government, in support of all that is dear to freemen, who deserve to be free. More need not be said to meritorious men who are determined to do their duty. Your General, seconded by the brave, will lead you to the post of honor, and will maintain it to the last.

"The elevated rank held by the citizens of Tennessee throughout the union, founded not less on their promptitude and regard for subordination, than their warlike achievements, is a sure pledge that it will be preserved by the present army, and it will be their pleasure to afford to the world an additional evidence that the people of Tennessee will surrender their liberties and independence but with their lives.

"Wherever the war may require the march of this army, it will have my most ardent and anxious wishes to heaven for its success, and for the honorable and safe return in due time, of all attached to it.

"WILLIE BLOUNT."

The English force had been rendezvoused in Negril Bay at the Island of Jamaica, and on the day the force sailed for Lake Borgne near New Orleans it consisted of fifty armed vessels, some of the strongest and most powerful in the English navy, with Sir Alexander Cockrane, the Admiral, in command of the fleet. Rear Admiral Sir Edward Codrington was next in command. Another fleet from Bordeaux was on the ocean en route to join Admiral Cockrane at Lake Borgne. Captain Percy with his squadron from Pensacola was also to join. The English land forces were under the command of Major General John Keane and consisted of about twenty thousand men made up of English regulars, 1,500 marines, two negro regiments taken from the West Indies, and ten thousand sailors. This force with its fifty ships carrying a thousand guns was a very formidable enemy for Jackson and his little, poorly equipped army to meet. The English regulars were from the battle-fields of the Peninsular War where they had fought triumphantly under the Duke of Wellington. England was attempting by this formidable expedition to take possession of Louisiana and the Mississippi Valley, and to join the English army from Canada, thereby to hold the grandest section of the globe.

Lake Borgne was a small arm of the Gulf of Mexico where Jackson had six gunboats to aid in the defense of the city. This

lake leads by a channel into Lake Pontchartrain, by which latter lake entrance would be given into New Orleans from the upper side, and thereby afford a rear attack on Jackson's army and this was one of the plans of campaign of the English. The defense of Lake Borgne, therefore, became vitally necessary to Jackson, but, unhappily, the six gunboats were taken by the English naval forces. The loss of the gunboats, of course, created consternation in the city and all kinds of rumors were afloat. General Jackson thought it necessary to issue an address to the citizens which he did on December 15th.

JACKSON'S ADDRESS.

"To the Citizens of New Orleans:

"The Major General commanding has, with astonishment and regret, learned that great consternation and alarm pervade your city. It is true the enemy is on our coast, and threatens an invasion of our territory; but it is equally true, with union, energy, and the approbation of heaven, we will beat him at every point his temerity may induce him to set foot upon our soil. The General, with still greater astonishment, has heard that British emissaries have been permitted to propagate seditious reports among you, that the threatened invasion is with a view of restoring the country to Spain, from a supposition that some of you would be willing to return to your ancient government. Believe not such incredible tales—your government is at peace with Spain—it is the vital enemy of your country, the common enemy of mankind, the highway robber of the world, that threatens you, and has sent his hirelings among you with this false report to put you off your guard, that you may fall an easy prey to him;—then look to your liberties, your property, the chastity of your wives and daughters—take a retrospect of the British army at Hampton and other places, where it has entered our country, and every bosom which glows with patriotism and virtue will be inspired with indignation, and pant for the arrival of the hour when we shall meet and revenge those outrages against the laws of civilization and humanity.

"The General calls upon the inhabitants of the city to trace this unfounded report to its source, and bring the propagator to condign punishment. The rules and articles of war annex the punishment of death to any person holding secret correspondence with the enemy, creating false alarms, or supplying him with provisions; and the General announces his unalterable determination rigidly to execute the martial laws in all cases which may come within his province.

"The safety of the district intrusted to the protection of the General, must and will be maintained with the best blood of the country; and he is confident that all good citizens will be found at their posts, with their arms in their hands, determined to dispute

every inch of ground with the enemy; that unanimity will pervade the country generally; but should the General be disappointed in this expectation, he will separate our enemies from our friends—those who are not for us are against us, and will be dealt with accordingly."

General Jackson's next move was the one which made possible his wonderful defense of the city of New Orleans—the placing of the city under martial law, which is always a last measure. Martial law was proclaimed on December 16 by the following:

PROCLAMATION.

"Major General Andrew Jackson, commanding the seventh United States military district, declares the city and environs of New Orleans under strict martial law, and orders that in future the following rules be rigidly enforced, viz:

"Every individual entering the city will report to the adjutant-general's office, and, on failure, to be arrested and held for examination.

"No persons shall be permitted to leave the city without a permission in writing, signed by the General or one of his staff.

"No vessels, boats or other craft will be permitted to leave New Orleans or Bayou St. John without a passport in writing from the General or one of his staff, or the commander of the naval forces of the United States on this station.

"The street lamps shall be extinguished at the hour of nine at night, after which time persons of every description found in the streets or not in their respective homes, without permission in writing, as aforesaid, and not having the countersign, shall be apprehended as spies and held for examination."

It was one of Jackson's characteristics that he never failed at any time in his career to meet an emergency boldly and exactly as it should be met for successful resistance; he never failed to assume responsibility, and the phrase "I will be responsible" was one that was frequently on his lips. The man's moral fearlessness was just as great as his physical courage, and neither ever wavered.

On the 18th of December General Jackson reviewed his troops and had Edward Livingstone, his aide, to read them an address which is one of the most celebrated addresses of his career; it will be noted that the address contains something directed to each particular portion of his troops. It will repay careful perusal.

JACKSON TO HIS TROOPS.

"TO THE EMBODIED MILITIA.—Fellow Citizens and Soldiers: The general commander in chief would not do justice to the noble

ardor that has animated you in the hour of danger, he would not do justice to his own feelings, if he suffered the example you have shown to pass without public notice. Inhabitants of an opulent and commercial town, you have, by a spontaneous effort, shaken off the habits which are created by wealth, and shown that you are resolved to deserve the blessings of fortune by bravely defending them. Long strangers to the perils of war, you have embodied yourselves to face them with the cool countenance of veterans; and with motives of disunion that might operate on weak minds, you have forgotten the difference of language and the prejudices of national pride, and united with a cordiality that does honor to your understanding as well as to your patriotism. Natives of the United States! They are the oppressors of your infant political existence with whom you are to contend; they are the men your fathers conquered whom you are to oppose. Descendants of Frenchmen! natives of France! they are English, the hereditary, the eternal enemies of your ancient country, the invaders of that you have adopted, who are your foes. Spaniards! remember the conduct of your allies at St. Sebastian, and recently at Pensacola, and rejoice that you have an opportunity of avenging the brutal injuries inflicted by men who dishonor the human race.

"Fellow-citizens, of every description, remember for what, and against whom you contend. For all that can render life desirable—for a country blessed with every gift of nature—for prosperity, for life—for those dearer than either, your wives and children—and for liberty, without which, country, life, property, are no longer worth possessing; as even the embraces of wives and children become a reproach to the wretch who would deprive them by his cowardice of those invaluable blessings. You are to contend for all this against an enemy whose continued effort is to deprive you of the least of these blessings; who avows a war of vengeance and desolation, carried on and marked by cruelty, lust, and horrors unknown to civilized nations.

"Citizens of Louisiana! the General commanding in chief rejoices to see the spirit that animates you, not only for your honor but for your safety; for whatever had been your conduct or wishes, his duty would have led, and will now lead him to confound the citizen unmindful of his rights with the enemy he ceases to oppose. Now, leading men who know their rights, who are determined to defend them, he salutes you, brave Louisianians, as brethren in arms, and has now a new motive to exert all his faculties, which shall be strained to the utmost in your defense. Continue with the energy you have begun, and he promises you not only safety, but victory over the insolent enemy who insulted you by an affected doubt of your attachment to the Constitution of your country.

"TO THE BATTALION OF UNIFORM COMPANIES—When I first looked at you on the day of my arrival I was satisfied with your appearance, and every day's inspection since has confirmed the

opinion I then formed. Your number have increased with the increase of danger, and your ardor has augmented since it was known that your post would be one of peril and honor. This is the true love of country! You have added to it an exact discipline, and a skill in evolutions rarely attained by veterans; the state of your corps does equal honor to the skill of the officers and the attention of the men. With such defenders our country has nothing to fear. Everything I have said to the body of militia applies equally to you—you have made the same sacrifices—you have the same country to defend, the same motive for exertion—but I should have been unjust had I not noticed, as it deserved, the excellence of your discipline and the martial appearance of your corps.

"**TO THE MEN OF COLOR:**—Soldiers! From the shores of Mobile I collected you to arms—I invited you to share in the perils and to divide the glory of your white countrymen. I expected much from you, for I was not uninformed of those qualities which must render you so formidable to an invading foe. I knew that you could endure hunger and thirst and all the hardships of war. I knew that you loved the land of your nativity, and that, like ourselves, you had to defend all that is most dear to man. But you surpass my hopes. I have found in you, united to these qualities, that noble enthusiasm which impels men to great deeds.

"**Soldiers!** The President of the United States shall be informed of your conduct on the present occasion, and the voice of the Representatives of the American nation shall applaud your valor, as your General now praises your ardor. The enemy is near. His sails cover the lakes. But the brave are united; and if he finds us contending among ourselves, it will be for the prize of valor, and fame its noblest reward."

The day after General Jackson's review of his troops, General Coffee arrived with his mounted men, many of whom by reason of sickness, fatigue and exposure, were unable to take part in the defense of the city. Coffee's men were the best marksmen in Jackson's army. After Coffee, Colonel Hinds arrived with his Mississippi Dragoons, and on December 22 General Carroll came in, supplied with muskets.

The first clash between the English and Jackson was on the night of December 23, and Jackson brought on the fight. Historians generally agree that this aggressive movement by Jackson is the finest evidence of his military ability, and really saved New Orleans. The English believed that the Americans would not fight except when attacked, and Jackson did not wait for an attack. They gained the impression by this that his army was strong enough to risk taking the aggressive; and from other sources also had the idea that he was in command of a very strong force. Not

expecting an attack at night, the English were totally unprepared for it, and the moral effect in Jackson's favor was overwhelming. The English forces attacked consisted of about sixteen hundred men, to be strengthened by large numbers the following day and until the entire English force was located for an assault upon Jackson's lines.

The British lost forty-six killed, one hundred sixty-seven wounded, sixty-four prisoners. The American loss was twenty-four killed, one hundred fifteen wounded, seventy-four missing. Among the Americans killed was Lieutenant Lauderdale, who had fought with Jackson in the Creek war. The fight began at half past seven o'clock and continued one hour and forty-five minutes. Jackson's report of this battle gives credit to each of the Divisions under his command.

GENERAL JACKSON'S REPORT.

"The best compliment that I can pay to General Coffee and his brigade is to say they behaved as they have always done while under my command. The seventh, led by Major Peire, and the forty-fourth, commanded by Colonel Ross, distinguished themselves. The battalion of city militia, commanded by Major Planche, realized my anticipations, and behaved like veterans. Savary's volunteers manifested great bravery; and the company of city riflemen, having penetrated into the midst of the enemy's camp, were surrounded, and fought their way out with the greatest heroism, bringing with them a number of prisoners. The two field pieces were well served by the officer commanding them. All my officers in the line did their duty, and I have every reason to be satisfied with the whole of my field and staff. Colonels Butler and Piatt, and Major Chotard, by their intrepidity, saved the artillery. Colonel Hayne was everywhere that duty or danger called. I was deprived of the services of one of my aids, Captain Butler, whom I was obliged to station, to his great regret, in town. Captain Reid, my other aid, and Messrs. Livingston, Duplessis and Davezac, who had volunteered their services, faced danger whenever it was to be met, and carried my orders with the utmost promptitude. Colonel Dellaronde, Major Villere of the Louisiana militia, Majot Latour of engineers, having no command, volunteered their services, as did Drs. Kerr and Flood, and were of great assistance to me."

Promptly on the following day General Jackson put every available hand to work deepening and widening the Roderiguez canal, and throwing the dirt upon one side, behind which his men were located, and where he intended to make, and did make, his final and successful stand against the English assault. Every available tool in New Orleans for digging and moving earth was brought into

requisition, and as a result, the Roderiguez canal comes down in history as one of the celebrated means of defense in a great battle.

After the night attack it is said that Jackson did not sleep until the night of the twenty-seventh, but devoted heart, soul, and every particle of his vital energy, in getting ready for the next attack.

Major General Sir Edward Pakenham arrived on December 25th to take charge of the British forces, with Major General Samuel Gibbs with him as second in command, and the English expected a great deal from Pakenham's leadership.

On December 27th, the Carolina, which had done such effective service, was shot out of existence by the British artillery, and the British guns were then trained upon the Louisiana, which saved itself only by changing its position half a mile.

On New Year's Day, 1815, about ten o'clock in the morning, after a very heavy fog had raised, the English artillery of about thirty pieces opened fire upon the American line, and the second drama in the attack and defense of New Orleans commenced. This attack, of course, was under the command of General Pakenham. The fight continued until about noon when the British fire slackened, and upon counting up the casualties at the end of the fight, it was found that the British had thirty killed and forty wounded, and the Americans eleven killed and twenty-three wounded.

The Kentuckians numbering 2,250 reached New Orleans January 4th, unequipped and unprepared to render effective service in the defense of the city. The historians record that only one man in ten was well armed, and only one in three was armed at all.

The final battle in defense of New Orleans occurred on the morning of January 8, 1815, and opened with a rocket sent up as a signal for the attack about six o'clock, just as the fog was lifting. The twenty-five minutes of the battle that followed was a tremendous twenty-five minutes, and pregnant with vast results in the history of Andrew Jackson and the people of the United States. During this twenty-five minutes General Pakenham was killed, leading his men in grand style. General Gibbs followed, meeting his death gallantly serving Great Britain. General Keane was painfully, but not fatally wounded. Jackson won, and the American Presidency and immortality were his reward.

The British lost seven hundred killed, fourteen hundred wounded, and five hundred prisoners. The Americans lost eight killed and thirteen wounded.

For the purpose of acquainting this generation of Tennesseans with all of the generals, officers, regiments and commands at the battle of New Orleans, which Tennesseans have always felt that they won, we set out, as far as ascertained, a full statement of those engaged: Generals Jackson, Coffee, Carroll, Thomas, Adair, Humbert, Morgan and Major Hind and his Mississippi dragoons.

Battery Number One, Camp Jackson, was manned by the United States Artillery, Captain Humphreys, and Volunteer Dragoons, Major St. Genie; Battery Number Two by artillery under Lieutenant Norris of the Navy; Battery Number Three by the Barataria Smugglers, Captains Dominique and Beluche; Battery Number Four by Lieutenant Crowley of the Navy; Battery Number Five by Colonel Perry; Battery Number Six by volunteer artillerists under General Flanjeac and Lieutenant Bertel; Battery Number Seven by regular artillery under Lieutenants Spotts and Chaveau; Battery Number Eight by a detachment of militia; extreme right occupied by the "New Orleans Rifles." Other points in line of defence by the 7th Louisiana Militia, Major Pierre; Major Planche's New Orleans companies; Major Lacortes colored regiment; Major Daquin's second regiment of color; detachment of the 44th regiment under Captain Baker; General Carroll's Tennesseans supported by General Adair's Kentuckians and General Coffee's Tennesseans. The western bank: General Morgan's Louisiana troops; Colonel Cavalier's 2nd Louisiana militia and the 1st Louisiana regiment of militia and Kentuckians under Colonel Davis and Major Arnaud. Fort St. Philip, on January 9, the day of the bombardment by the enemy was garrisoned by Major Overton.

AMERICAN AND BRITISH LETTERS AND REPORTS.

AMERICAN.

ANDREW JACKSON TO JAMES MONROE, SECRETARY OF WAR.

"Headquarters, Seventh Military District,
Camp below New Orleans, 27th December,
in the morning, 1814.

"Sir:

"The loss of our gun-boats near the pass of Rigolets, having given the enemy command of Lake Borgne, he was enabled to choose his point of attack. It became therefore an object of importance to obstruct the numerous bayous and canals leading from that lake to the highlands on the Mississippi. This important service was committed, in the first instance, to a detach-

ment from the seventh regiment, afterwards to Colonel De La Ronde, of the Louisiana militia, and lastly, to make all sure, to Major-General Villere, commanding the district between the river and the lakes, and who, being a native of the country, was presumed to be best acquainted with all those passes. Unfortunately, however, a picket which the general had established at the mouth of the bayou Bienvenu, and which, notwithstanding my orders, had been left unobstructed, was completely surprised, and the enemy penetrated through a canal leading to his farm, about two leagues below the city, and succeeded in cutting off a company of militia stationed there. This intelligence was communicated to me about 12 o'clock of the 23d. My force, at this time, consisted of parts of the seventh and forty-fourth regiments, not exceeding 600 together, the city militia, a part of General Coffee's brigade of mounted gunmen, and the detached militia from the western division of Tennessee, under the command of Major-General Carroll. These two last corps were stationed four miles above the city. Apprehending a double attack by the way of Chief-Menteur, I left General Carroll's force and the militia of the city posted on the Gentilly road; and at 5 o'clock P. M., marched to meet the enemy, whom I was resolved to attack in his first position, with Major Hind's Dragoons, General Coffee's brigade, parts of the seventh and forty-fourth regiments, the uniformed companies of militia under the command of Major Planche, 200 men of color, chiefly from St. Domingo, raised by Colonel Savary and acting under the commands of Major Dagwin, and a detachment of artillery under the direction of Colonel M'Reo, with two six-pounders under the command of Lieutenant Spots; not exceeding in all 1,500. I arrived near the enemy's encampment about seven, and immediately made my disposition for the attack. His forces amounting at that time on land to about 3,000, extended half a mile on the river, and in the rear nearly to the wood. General Coffee was ordered to turn their right, while, with the residue of the force, I attacked his strongest position on the left near the river. Commodore Patterson having dropped down the river in the schooner Caroline, was directed to open a fire upon their camp, which he executed at about half after 7. This being the signal of attack, General Coffee's men with their usual impetuosity rushed on the enemy's right, and entered their camp, while our right advanced with equal ardour. There can be but little doubt that we should have succeeded on that occasion, with our inferior force, in destroying or capturing the enemy, had not a thick fog, which arose about 8 o'clock, occasioned some confusion among the different corps. Fearing the consequences, under this circumstance, of the further prosecution of a night attack with troops then acting together for the first time, I contented myself with lying on the field that night; and at 4 in the morning assumed a stronger position about two miles nearer to the city. At this position I remained encamped, waiting

the arrival of the Kentucky militia and other reinforcements. As the safety of the city will depend on the fate of this army, it must not be inadvertently exposed.

"In this affair the whole corps under my command deserves the greatest credit. The best compliment I can pay to General Coffee and his brigade, is to say they behaved as they have always done while under my command. The seventh, led by Major Pierre, and the forty-fourth, commanded by Colonel Ross, distinguished themselves. The battalion of city militia, commanded by Major Planche, realized my anticipations, and behaved like veterans. Savary's volunteers manifested great bravery; and the company of city-riflemen having penetrated into the midst of the enemy's camp were surrounded, and fought their way out with the greatest heroism, bringing with them a number of prisoners. The two field-pieces were well-served by the officers commanding them.

"All my officers in the line did their duty, and I have every reason to be satisfied with the whole of my field and staff. Colonels Butler and Piatt, and Major Chotardy, by their intrepidity, saved the artillery. Colonel Haynes was everywhere that duty or danger called. I was deprived of the services of one of my aids, Captain Butler, whom I was obliged to station, to his great regret, in town. Captain Reid, my other aid, and Messrs. Livingston, Duplissis, and Davizac, who had volunteered their services, faced danger wherever it was to be met, and carried my orders with the utmost promptitude.

"We made one major, two subalterns, and sixty-three privates prisoners; and the enemy's loss in killed and wounded must have been at least _____. My own loss I have not as yet been able to ascertain with exactness, but suppose it to amount to 100 in killed, wounded and missing. Among the former I have to lament the loss of Colonel Lauderdale, of General Coffee's brigade, who fell while bravely fighting. Colonels Dyer and Gibson of the same corps were wounded, and Major Kavenaugh taken prisoner.

"Colonel De Laronde, Major Villere, of the Louisiana militia, Major Latour of Engineers, having no command, volunteered their services, as did Drs. Kerr and Hood, and were of great assistance to me.

"I have the honour to be, with great respect, your obedient servant,

"ANDREW JACKSON,
Major General, Commanding.

"Honourable James Monroe, Secretary of War."

ANDREW JACKSON TO JAMES MONROE, SECRETARY OF WAR.

"Headquarters, Seventh Military District,
Camp below New Orleans, Dec. 29, 1814.

"Sir:

"The enemy succeeded on the 27th in blowing up the Caroline (she being becalmed), by means of hot shot, from a land battery

which he had erected in the night. Emboldened by this event, marched his whole force the next day up the level, in the hope of driving us from our position, and with this view opened upon us, at the distance of about half a mile, his bombs and rockets. He was repulsed, however, with considerable loss—not less, it is believed, than 120 killed. Ours was inconsiderable—not exceeding half a dozen in killed and a dozen wounded.

"Since then he has not ventured to repeat his attempt, though lying close together. There has been frequent skirmishing between our pickets.

"I lament that I have not the means of carrying on more offensive operations. The Kentucky troops have not arrived, and my effective force at this point does not exceed 3,000. Theirs must be at least double—both prisoners and deserters agreeing in the statement that 7,000 landed from their boats.

"ANDREW JACKSON,
"Major-General, Commanding.

"Honourable James Monroe, Secretary of War, Washington."

ANDREW JACKSON TO JAMES MONROE, SECRETARY OF WAR.

Camp, four miles below New Orleans,
January 9th, 1815.

"Sir:

"During the days of the 6th and 7th, the enemy had been actively employed in making preparations for an attack on my lines. With infinite labour they had succeeded on the night of the 7th in getting their boats across from the lake to the river, by widening and deepening the canal on which they had effected their disembarkation. It had not been in my power to impede these operations by a general attack, added to other reasons, the nature of the troops under my command, mostly militia, rendered it too hazardous to attempt extensive offensive movements in an open country, against a numerous and well-disciplined army. Although my forces, as to number, had been increased by the arrival of the Kentucky division, my strength had received very little addition; a small portion only of that detachment being provided with arms. Compelled thus to await the attack of the enemy, I took every measure to repel it when it should be made, and to defeat the object he had in view. General Morgan, with the Orleans contingent, the Louisiana militia, and a strong detachment of the Kentucky troops, occupied an entrenched camp on the opposite side of the river, protected by strong batteries on the bank, erected and superintended by Commodore Patterson.

"In my encampment everything was ready for action, when, early on the morning of the 8th, the enemy, after throwing a heavy shower of bombs and congreve rockets, advanced their columns on my right and left, to storm my entrenchments. I cannot speak sufficiently in praise of the firmness and deliberations

with which my whole line received their approach; more could not have been expected from veterans inured to war. For an hour, the fire of the small arms was as incessant and severe as can be imagined. The artillery, too, directed by officers who displayed equal skill and courage, did great execution. Yet the columns of the enemy continued to advance with a firmness which reflects upon them greatest credit. Twice the column which approached me on my left was repulsed by the troops of General Carroll, those of General Coffee, and a division of the Kentucky militia, and twice they formed again and renewed the assault. At length, however, cut to pieces, they fled in confusion from the field, leaving it covered with their dead and wounded. The loss which the enemy sustained on this occasion, cannot be estimated at less than 1,500 in killed, wounded and prisoners. Upwards of 300 have already been delivered over for burial; and my men are still engaged in picking them up within my lines and carrying them to a point where the enemy are to receive them. This is in addition to their dead and wounded whom the enemy have been enabled to carry away from the field, during and since the action, and to those who have since died of the wounds they have received. We have taken about 500 prisoners, upwards of 300 of whom are wounded, and a great part of them mortally. My loss has not exceeded, and I believe has not amounted to 10 killed, and as many wounded. The entire destruction of the enemy's army was now inevitable, had it not been for an unfortunate occurrence which at this moment took place on the other side of the river. Simultaneously with his advance upon my lines, he had thrown over in his boats a considerable force to the other side of the river. These having landed, were hardy enough to advance against the works of General Morgan; and what is strange and difficult to account for, at the very moment when their discomfiture was looked for with a confidence approaching to certainty, the Kentucky reinforcements, in whom so much reliance had been placed, ingloriously fled, drawing after them, by their example, the remainder of the forces; and thus yielding to the enemy that most important position. The batteries which had rendered me, for many days, the most important service, were of course now abandoned; not however until the guns had been spiked.

"This unfortunate rout had totally changed the aspect of affairs. The enemy now occupied a position from which they might annoy us without hazard, and by means of which they might have been enabled to defeat, in a great measure, the effects of our success on this side the river. It became therefore an object of the first consequence to dislodge him as soon as possible. For this object, all the means in my power, which I could with any safety use, were immediately put in preparation. Perhaps, however, it was owing somewhat to another cause that I succeeded even beyond my expectations. In negotiating the terms of a temporary suspension of hostilities to enable the enemy to bury their dead and

provide for their wounded, I had required certain propositions to be acceded to as a basis, among which this was one: that although hostilities should cease on this side the river until 12 o'clock of this day, yet it should not be understood that they should cease on the other side; but that no reinforcements should be sent across by either army until the expiration of that day. His excellency Major-General Lambert begged time to consider of those propositions until 10 o'clock of to-day, and in the meantime re-crossed his troops. I need not tell you with how much eagerness I immediately regained possession of the position he had thus hastily quitted.

"The enemy having concentrated his forces, may again attempt to drive me from my position by storm. Whenever he does, I have no doubt my men will act with their usual firmness, and sustain a character now become dear to them.

"I have the honour to be, with great respect, your obedient servant,

"ANDREW JACKSON,
"Major-General, Commanding."

ANDREW JACKSON TO JAMES MONROE, SECRETARY OF WAR.

"Head-quarters Seventh Military District.
Camp four miles below New Orleans, 19th
January, 1915.

"Sir:

"Last night at 12 o'clock the enemy precipitately decamped and returned to his boats, leaving behind him under medical assistance eighty of his wounded, including two officers, 14 pieces of his heavy artillery, and a quantity of shot, having destroyed much of his powder. Such was the situation of the ground which he abandoned, and of that through which he retired, protected by canals, redoubts, entrenchments, and swamps on his right, and the river on his left, that I could not, without encountering a risk which true policy did not seem to require, or to authorize, attempt to annoy him much on his retreat. We took only eight prisoners.

"Whether it is the purpose of the enemy to abandon the expedition altogether, or to renew his efforts at some other points, I do not pretend to determine with positiveness. In my own mind, however, there is but little doubt that his last exertions have been made in this quarter, at any rate for the present season, and by the next, I hope we shall be fully prepared for him. In this belief I am strengthened not only by the prodigious loss he has sustained at the position he has just quitted, but by the failure of his fleet to pass Fort St. Philip.

"His loss on this ground, since the debarkation of his troops, as stated by all the last prisoners and deserters, and as confirmed by many additional circumstances, must have exceeded four thousand; and was greater in the action of the 8th than was es-

timated, from the most correct data then in his possession, by the inspector-general, whose report has been forwarded to you. We succeeded, on the 8th, in getting from the enemy about 1,000 stands of arms of various descriptions.

"Since the action of the 8th, the enemy have been allowed very little respite, my artillery from both sides of the river being constantly employed, till the night, and indeed until the hour of their retreat in annoying them. No doubt they thought it quite time to quit a position in which so little rest could be found.

"I am advised by Major Overton, who commands at Fort St. Philip, in a letter of the 18th, that the enemy having bombarded his fort for eight or nine days from 13-inch mortars without effect, had, on the morning of that day, retired. I have little doubt that he would have been able to have sunk their vessels had they attempted to run by.

"Giving the proper weight to all these considerations, I believe you will not think me too sanguine in the belief that Louisiana is now clear of its enemy. I hope, however, I need not assure you, that wherever I command, such a belief shall never occasion any relaxation in the measures for resistance. I am but too sensible that the moment when the enemy is opposing us is not the most proper moment to provide them.

"I have the honour to be, &c.,

"ANDREW JACKSON,

"Major-General, Commanding.

"P. S. On the 18th our prisoners on shore were delivered to us, an exchange having been previously agreed to. Those who are on board the fleet will be delivered at Petit Coquille—after which I shall have in my hands an excess of several hundred. A. J.

"20th—Mr. Shields, purser in the navy has to day taken 54 prisoners; among them are four officers. A. J.

"Honourable James Monroe, Secretary of War."

AMERICAN REPORT OF CAUSALTIES.

ROBERT BUTLER, ADJUTANT GENERAL TO BRIGADIER GENERAL D. PARKER:

"Head-quarters Seventh Military District,
Adjutant-General's Office, Jackson's Lines,
below New Orleans, January 16th, 1815.

"Sir:

"I have the honour herewith to inclose, for the information of the War Department, a report of the killed, wounded, and missing of the army under the command of Major-General Jackson, in the different actions with the enemy since their landing.

"I have the honour to be, very respectfully, your obedient servant,

"ROBERT BUTLER,
"Adjutant-General.

"Brig.-General D. Parker,

"Adjutant and inspector-General, Washington.

"Report of the killed, wounded and missing, of the army under the command of Major-General Andrew Jackson, in the actions of the 23d and 28th December, 1814 and 1st and 8th of January, 1815, with the enemy.

"Action of December 23d, 1814.

"Killed: Artilleryman, 1; 7th United States infantry, 1 Lieutenant (M'Clellan), 1 sergeant, 1 corporal, 4 privates; 44th ditto, 7 privates; General Coffee's Brigade volunteer mounted gun-men, 1 lieutenant-colonel (Lauderdale), 1 captain (Pace), 1 lieutenant (Lieutenant Samuel Brooks), 2 sergeants, 4 privates. Total killed 24.

"Wounded: General staff, 1 colonel (colonel Piatt), 7th United States Infantry, 1 captain (A. A. White), 1 ensign, 1 sergeant, 2 corporals, 23 privates; 44th ditto, 2 lieutenants, 3 sergeants, 2 corporals, 19 privates; general Coffee's Brigade, 1 colonel, 2 lieutenant-colonels, 1 captain, 2 lieutenants, 1 quartermaster sergeant, 3 sergeants, 2 corporals, 1 musician, 30 privates; New Orleans volunteer corps, 1 captain, 2 sergeants, 7 privates; volunteers of colour, 1 adjutant, and 6 privates. Total wounded, 115.

"Missing: General Coffee's brigade, 1 Major, 2 Captains, 3 Lieutenants, 1 Quarter-Master, 3 Ensigns or Cornets, 4 Sergeants, 1 Corporal, 2 Musicians, 57 Privates. Total missing, 74.

"Total killed, wounded and missing, on the 23d, 213.

"Action of December 28, 1814.

"Killed: General Coffee's brigade, 1 Private; New Orleans Volunteer Company, 1 Private; General Carroll's Division of Tennessee Militia, 1 Colonel (Henderson), 1 Serjeant, 3 Privates. Total 7.

"Wounded: Marines, 1 Major (Cormick); New Orleans Volunteer Company, 3 Privates; General Carroll's Division, 1 Lieutenant, 3 Privates. Total wounded, 8.

"Missing: None.

"Total killed, wounded and missing, on this day, 15.

Action of January 1st, 1815.

"Killed: Artillery, navy and volunteers at batteries, 8 Privates; 44th ditto, 1 Private; General Coffee's brigade, 1 Serjeant, General Carroll's Division, 1 Private. Total 11.

"Wounded: Artillery, navy and volunteers at batteries, 8; 7th United States Infantry, 1 Private; 44th ditto, 3; Coffee's brigade, 2; New Orleans Volunteers, 3 Privates; Carroll's Division, 1 Sergeant, 2 Privates. Volunteers of Color, 1 Lieutenant, 1 Sergeant, 1 Private. Total 23.

"Missing: None.

Total of killed, wounded and missing, this day, 34.

"Action on both sides the river, 8th January, 1815.

"Killed: Artillery, navy and volunteers at batteries, 3 Privates; 7th United States Infantry, 1 Sergeant, 1 Corporal; Coffee's brigade, 1 Private; Carroll's Division, 1 Sergeant, 3 Privates; Kentucky Militia, 1 Private, Majors Lacoste and Dacquin's volunteers of colour, 1 Private; General Morgan's Militia, 1 Private. Total killed, 13.

"Wounded: Artillery, &c., 1 Private; 7th United States Infantry, 1 Private; General Carroll's Division, 1 Ensign, 1 Serjeant, 6 Privates; Kentucky Militia, 1 Adjutant, 1 Corporal and 10 Privates; Volunteers of Colour, 1 Ensign, 3 Serjeants, 1 Corporal, 8 Privates; General Morgan's Militia, 2 Serjeants, 2 Privates. Total wounded, 39.

"Missing: Kentucky Militia, 4 Privates; Morgan's Militia, 15 Privates. Total 19.

"Total killed, wounded and missing, this day, 71.

"NOTE: Of the killed, wounded and missing, on this day, but 6 killed and 7 wounded in the action on the east bank of the river, the residue in a sortie after the action, and in the action on the west bank.

RECAPITULATION.

"Total killed.....	55
Total wounded.....	185
Total missing.....	93
<hr/>	
Grand total.....	333

"Truly reported from those on file in this office.

"ROBERT BUTLER,

"Adjutant-General.

"Adjutant-General's Office, New Orleans, January 16, 1815."

BRITISH.

GEN. LAMBERT TO EARL BATHURST, BRITISH SECRETARY OF STATE.

"Colonial Department, March 9th,

Downing Street, March 8th, 1815.

"Despatches of which the following are copies, have this day been received by Earl Bathurst, one of his majesty's principal secretaries of state, from Major-General Sir John Lambert, K. C. B., commanding on the coast of Louisiana.

"Camp in front of the enemy's lines,

"below New Orleans, January 10, 1815.

"My Lord:

"It becomes my duty to lay before your lordship the proceedings of the force lately employed on the coast of Louisiana, under the command of Major-General the honourable sir B. M. Packenham, K. B., and acting in concert with vice-admiral sir A. Cochrane, K. B.

"The report which I enclose from Major-General Keane, will put your lordship in possession of the occurrences which took place until the arrival of Major-General the honourable sir E. Packenham, to assume the command; from that period I send an extract of a journal of Major Forrest, assistant quartermaster general, up to the time of joining the troops (which sailed on the 26th of October last, under my command) and which was on the 6th of January; and from that period, I shall detail, as well as I am able, the subsequent events.

"I found the army in position in a flat country, with the Mississippi on its left, and a thick extensive wood on its right; and open in its front, from which the enemy's line was quite distinguishable.

"It seems sir E. Packenham had waited for the arrival of the fusileers and 43d regiment, in order to make a general attack upon the enemy's line; and on the 8th the army was formed for that object.

"In order to give your lordship as clear a view as I can, I shall state the position of the enemy. On the left bank of the river it was simply a straight line of about a front of 1,000 yards with a parapet, the right resting on the river and the left on a wood, which had been made impracticable for any body of troops to pass. This line was strengthened by flank works, and had a canal of about four feet deep generally, but not altogether of an equal width; it was supposed to narrow towards their left; about eight heavy guns were in a position on this line. The Mississippi is here about 800 yards across, and they had on the right bank a heavy battery of 15 guns, which infiladed the whole front of the position on the left bank.

"Preparations were made on our side by very considerable labour to clear out and widen a canal that communicated with a stream by which the boats had passed up to the place of disembarkation, to open in to the Mississippi, and the co-operation of armed boats could be secured.

"The disposition for the attack was as follows: A corps, consisting of the 85th light infantry, 200 seamen, and 400 marines, the 5th West India regiment, and four pieces of artillery, under the command of Colonel Thornton, of the 85th, was to pass over during the night, and move along the right bank towards New Orleans, clearing its front until it reached the flanking battery of the enemy on that side, which it had orders to carry.

"The assailing of the enemy's line in front of us, was to be made by the brigade composed of the 4th, 21st, and 44th regiments, with three companies of the 98th, under major-general Gibbs, and by the 3rd brigade, consisting of the 93d, two companies of the fusileers, and 43rd, under major general Keane; some black troops were destined to skirmish in the wood on the right; the principal attack was to be made by major-general Gibbs; the 1st brigade, consisting of the fusileers and 43d, formed

the reserve; the attacking columns were to be provided with fascines, scaling ladders, and rafts; the whole to be at their stations before day-light. An advanced battery in our front of six 18-pounders, was thrown up during the night, about 800 yards from the enemy's line. The attack was to be made at the earliest hour. Unlooked for difficulties, increased by the falling of the river, occasioned considerably delay in the entrance of the armed boats, and those destined to land colonel Thornton's corps, by which four or five hours were lost, and it was not until past five in the morning that the first division, consisting of 500 men, were over. The ensemble of the general movement was lost, and in a point which was of the last importance to the attack on the left bank of the river, although colonel Thornton, as your lordship will see in his report, which I inclose, ably executed in every particular his instructions, and fully justified the confidence the commander of the forces placed in his abilities. The delay attending that corps occasioned some on the left bank, and the attack did not take place until we were discernible from the enemy's line at more than 200 yards distance; as they advanced, a continued and most galling fire was opened from every part of their line, and from the battery on the right bank.

"The brave commander of the forces, who never in his life could refrain from being at the post of honour, and sharing the danger to which the troops were exposed, as soon as from his station he had made the signal for the troops to advance, galloped on to the front to animate them by his presence, and he was seen with his hat off, encouraging them on the crest of the glacis; it was there (almost at the same time) he received two wounds, one on his knee, and another, which was instantly fatal, in his body; he fell in the arms of major McDougal, aid-de-camp.

"The effect of this, in the sight of the troops, together with major-general Gibbs and major-general Keane being borne off wounded at the same time, with many other commanding officers, and further, the preparations to aid in crossing the ditch not being so forward as they ought to have been, from, perhaps, the men being wounded who were carrying them, caused a wavering in the column, which in such a situation became irreparable; and as I advanced with the reserve, at about 250 yards from the line, I had the mortification to observe the whole falling back upon me in the greatest confusion.

"In this situation, finding that no impression had been made, and though many men had reached the ditch, and were either drowned or were obliged to surrender, and that it was impossible to restore order in the regiments where they were, I placed the reserve in position, until I could obtain such information as to determine me how to act to the best of my judgment, and whether or not I should resume the attack, and if so, I felt it could only be done by the reserve. The confidence I have in the corps composing it would have encouraged me greatly, though not

without loss, which might have made the attempt of serious consequence, as I know it was the opinion of the late distinguished commander of the forces that the carrying of the first line would not be the least arduous service. After making the best reflection I was capable of, I kept the ground the troops then held, and went to meet vice-admiral sir Alexander Cochrane, and to tell him, that under all the circumstances I did not think it prudent to renew the attack that day. At 10 o'clock I learnt the success of colonel Thornton's corps on the right bank. I sent the commanding officer of the artillery, colonel Dickson, to examine the situation of the battery, and to report if it was tenable; but informing me that he did not think it could be held with security by a smaller corps than 2,000 men, I consequently ordered Lieutenant-colonel Gubbins, on whom the command had devolved (colonel Thornton being wounded), to retire.

"The army remained in position until night, in order to gain time to destroy the 18-pound battery we had constructed the preceding night in advance, I then gave orders for the troops resuming the ground they occupied previous to the attack.

"Our loss has been very severe, but I trust it will not be considered, notwithstanding the failure, that this army has suffered the military character to be tarnished. I am satisfied, had I thought it right to renew the attack, that the troops would have advanced with cheerfulness. The service of both army and navy, since their landing on this coast, have been arduous beyond anything I have ever witnessed, and difficulties have been got over with an assiduity and perseverance beyond all example by all ranks, and the most hearty co-operation has existed between the two services.

"It is not necessary for me to expatiate to you upon the loss the army has sustained in major-general the honourable sir Edward Packenham, commander in chief of this force, nor could I in adequate terms. His services and merits are so well known that I have only, in common with the whole army, to express my sincere regret, and which may be supposed at this moment to come peculiarly home to me.

"Major-general Gibbs, who died of his wounds the following day, and major-general Keane, who were both carried off the field within twenty yards of the glacis, at the head of their brigades, sufficiently speak, at such a moment, how they were conducting themselves. I am happy to say major-general Keane is doing well.

"Captain Wyly, of the fusileers, military secretary to the late commander of the forces, will have the honour of delivering to your lordship these despatches. Knowing how much he enjoyed his esteem and was in his confidence, from a long experience of his talents, I feel I cannot do less than pay this tribute

to what I conceive would be the wishes of his late general, and to recommend him strongly to your lordship's protection.

"I have, &c.,

"JOHN LAMBERT,

"Major-general, commander."

GEN. LAMBERT TO EARL BATHURST, BRITISH SECRETARY OF STATE.

"Tonnant, off Chandeleur's Island, January 28.

"My Lord:

"After maturely deliberating on the situation of this army, after the command had unfortunately devolved upon me, on the 8th instant, and duly considering what probability now remained of carrying on with success, on the same plan, and attack against New Orleans, it appeared to me that it ought not to be persisted in. I immediately communicated with vice admiral sir Alexander Cockrane, that I did not think it would be prudent to make any farther attempt at present, and that I recommended re-embarking the army as soon as possible, with a view to carry into effect the other objects of the force employed upon the coast; from the 9th instant, it was determined that the army should retreat, and I have the satisfaction of informing your lordship that it was effected on the night of the 18th instant, and ground was taken upon the morning of the 19th, on both sides of the bayou or creek which the troops had entered on their disembarkation, 14 miles from their position before the enemy's line, covering New Orleans, on the left bank of the Mississippi and one mile from the entrance into Lac Borgne; the army remained in bivouac until the 27th instance, when the whole were re-embarked.

"In stating the circumstances of this retreat to your lordship, I shall confidently trust that you will see that good order and discipline ever existed in this army, and that zeal for the service and attention was ever conspicuous in officers of all ranks.

"Your lordship is already acquainted with the position the army occupied, its advance post close up to the enemy's line, and the greater part of the army were exposed to the fire of his batteries which was unremitting day and night since the 1st of January, when the position in advance was taken up; the retreat was effected without being harassed in any degree by the enemy; all the sick and wounded with the exception of eighty, whom it was considered dangerous to remove, field artillery, ammunition, hospital and other stores of every description, which had been landed on a very large scale, were brought away, and nothing fell into the enemy's hands excepting six iron 18-pounders, mounted on sea-carriages, and two carronades, which were in position on the left bank of the Mississippi; to bring them off at the moment the army was retiring was impossible, and to have done it previously would have exposed the whole force to any fire the enemy might have sent down the river. These batteries were of course destroyed, and the guns rendered perfectly un-

viceable. Only four men were reported absent next morning, and these I suppose must have been left behind, and have fallen into the hands of the enemy; but when it is considered the troops were in perfect ignorance of the movement, until a fixed hour during the night, that the battalions were drawn off in succession, and that the pickets did not move off till past three in the morning, and that the whole had to retire through the most difficult new made road, cut in marshy ground, impassable for horses, and where, in many places, the men could only go in single files, and that the absence of men might be accounted for in so many ways, it would be rather a matter of surprise the number was so few.

"An exchange of prisoners has been effected with the enemy upon very fair terms, and their attention to the brave prisoners and wounded, that have fallen into their hands, has been kind and humane, I have every reason to believe.

"However unsuccessful the termination of the late service the army and navy have been employed upon has turned out, it would be injustice not to point out how much praise is due to their exertions; ever since the 13th December, when the army began to move from the ships, the fatigue of disembarking and bringing up artillery and supplies from such a distance has been incessant; and I must add, that owing to the exertions of the navy, the army has never wanted provisions. The labour and fatigue of the seamen and soldiers were particularly conspicuous on the night of the 7th instant, when fifty boats were dragged through a canal into the Mississippi, in which there was only 18 inches of water, and I am confident that vice-admiral sir Alexander Cochrane, who suggested the possibility of this operation, will be equally ready to admit this, as well as the hearty co-operation of the troops on all occasions.

"From what has come under my own observation since I joined this army, and from official reports that have been made to me, I beg to call your lordship's attention to individuals, who from their station have rendered themselves peculiarly conspicuous. Major Forrest at the head of the quartermaster general's department, I cannot say too much of Lieutenant Evans and Poddie of the same, have been remarkable for their exertions and indefatigability; sir John Tylden, who has acted in the field as assistant adjutant general with me; Lieutenant Colonel Stoven having been wounded on the 23d ultimo, though doing well, not as yet being permitted to take active service, has been very useful; on the night of the 7th, previous to the attack, rear-admiral Malcolm reports the great assistance he received from him in forwarding the boats in the Mississippi. Captain Wood of the 4th regiment, deputy assistant adjutant general, has filled that situation since the first disembarkation of the troops, with zeal and attention.

"During the action of the 8th instant, the command of the 2d brigade devolved upon lieutenant colonel Brooke, 4th regiment; that of the 3d upon colonel Hamilton, 5th West Indian regiment; and the reserve upon colonel Blakeney, royal fusileers; to all these officers I feel myself much indebted for their services. Lieutenant colonel Dickson, royal artillery, has displayed his usual abilities and assiduity; he reports to me his general satisfaction of all the officers under his command, especially major Munro, senior officer of the royal artillery, previous to his arrival, and of the officers commanding companies.

"Lieutenant colonel Burgoyne, royal engineers, afforded me every assistance that could be expected from his known talents and experience; that service lost a valuable and much esteemed officer in lieutenant Wright, who was killed reconnoitering on the evening of the 31st ultimo.

"Lieutenant colonel Mein, of the 43d, and lieutenant colonel Gubbins, 85th regiment, field officers of the pickets on the 8th, have great credit for the manner in which they withdrew the outposts on the morning of the 19th, under the direction of colonel Blakeney, royal fusileers.

"I request in a particular manner to express how much this army is indebted to the attention and diligence of Mr. Rabb, deputy inspector of hospitals. He met the embarrassments of crowded hospitals, and their immediately removed, with such excellent arrangements, that the wounded were all brought off with every favorable circumstance, except such as would have rendered their removal dangerous.

"Captain sir T. Troubridge, royal navy, who commanded a battalion of seamen, and who was attached to act with the fusileers, rendered the greatest service by his exertions in whatever way they were required. Colonel Dickson, royal artillery, particularly mentions how much he was indebted to him.

"The conduct of two squadrons of the 14th light dragoons, lately under the command of lieutenant colonel Baker, previously by major Hills, has been the admiration of every one, by the cheerfulness with which they have performed all descriptions of service. I must also mention the exertions of the royal staff corps under major Dodd, so reported by the deputy quartermaster general.

"Permit me to add the obligations I am under to my personal staff, lieutenant the honourable E. Curson, of the royal navy, who was selected as naval aid-de-camp to the commanding officer of the troops on their first disembarkation, each of whom have expressed the satisfaction they had in his appointment, to which I confidently add my own.

"Major Smith, 9th regiment, now acting as military secretary, is so well known for zeal and talents, that I can with great truth say, that I think he possesses every qualification to render him hereafter one of the brightest ornaments of his profession.

"I cannot conclude without expressing how much indebted the army is to rear admiral Malcolm, who had the immediate charge of landing and re-embarking the troops; he remained on shore to the last, and by his abilities and activity smoothed every difficulty.

"I have the honour to be, etc.

(Signed.)

JOHN LAMBERT,

"Major general commandant.

"To the right honourable earl of Bathurst.

"P. S. I regret to have to report, that during the night of the 25th, in very bad weather, a boat containing two officers, viz. lieutenant Brydges and cornet Hammond, with 37 of the 14th light dragoons, unfortunately fell into the hands of the enemy off the mouth of the Rigolers. I have not been able to ascertain correctly particular circumstances."

BRITISH REPORT OF CASUALTIES.

"Return of casualties in the actions with the enemy, near New Orleans, on the 23d and 24th December, 1814.

"Total—4 captains, 1 lieutenant, 7 sergeants, 1 drummer, 33 rank and file killed; 1 lieutenant colonel, 1 major, 2 captains, 3 lieutenants, 10 sergeants, 4 drummers, 141 rank and file wounded; 1 major, 1 lieutenant, 1 ensign, 3 sergeants, 58 rank and file missing.

"Return of casualties between the 25th and 31st December, 1814.

"Total—1 captain, 1 drummer, 14 rank and file killed; 1 lieutenant, 2 ensigns, 1 sergeant, 34 rank and file wounded; 2 rank and file missing.

"Return of casualties between the 1st and 5th January, 1815.

"Total—3 lieutenants, 2 sergeants, 27 rank and file killed; 4 lieutenants, 40 rank and file wounded; 2 rank and file missing.

"Return of casualties on the 8th January, 1815.

"Total loss—1 major general, 1 lieutenant colonel, 2 majors, 5 captains, 4 lieutenants, 2 ensigns, 11 sergeants, 1 drummer, 266 rank and file killed; 2 major generals, 8 lieutenant colonels, 2 majors, 18 captains, 38 lieutenants, 9 ensigns, 1 staff, 54 sergeants, 9 drummers, 1,126 rank and file wounded; 3 captains, 12 lieutenants, 13 sergeants, 4 drummers, 452 rank and file missing.

"Return of casualties between the 9th and 26th January, 1815.

"Total—1 rank and file killed; 1 lieutenant, 1 sergeant, 3 rank and file wounded.

"Return of the ordnance taken from the enemy by a detachment of the army acting on the right bank of the Mississippi, under the command of Colonel Thornton.

"Redoubt, right bank of the Mississippi, January 8, 1815.

"1 Brass 10 inch howitzer, 2 brass 4 pound field pieces, 3 24-pounders, 3 12-pounders, 6 9-pounders, 1 12-pound carronade, not mounted.

"On the howitzer is inscribed, "Taken at the surrender of Yorktown, 1781."

(Signed)

"J. MITCHELL,
"Captain Royal artillery.

"The return of the killed and wounded, in the action of the gun-boats, gives 17 of the former, and 77 of the latter."

BOOTY AND BEAUTY.

In the story of the battle of New Orleans a great deal has been written about "Booty and Beauty" as the reward of the British troops in the event the city had been taken; and that this was the expectation of at least some of the English troops, and that the town would have been looted and women despoiled, seems absolutely certain if the conduct of the soldiers who had served under Wellington in Spain is to be taken as a standard of their conduct in New Orleans. There is no evidence, however, that General Pakenham, who served with the Duke of Wellington in Spain ever countenanced such unspeakably infamous conduct by English soldiers, but the soldiers themselves are convicted upon the historical testimony of the Duke of Wellington and of Major General Sir W. F. P. Napier, an English General.

On page 227, part II of his "Naval War of 1812," Roosevelt quotes Wellington as follows in reference to the conduct of his soldiers:

"It is impossible to describe to you the irregularities and outrages committed by the troops. They are never out of sight of their officers, I might almost say, out of sight of the commanding officers of the regiments, that outrages are not committed. . . . There is not an outrage of any description which has not been committed on a people who have uniformly received them as friends." "I really believe that more plunder and outrages have been committed by this army than by any other that ever was in the field." "A detachment seldom marches . . . that a murder or a highway robbery, or some act of outrage is not committed by the British soldiers composing it. They have killed eight people since the army returned to Portugal." "They really forget everything when plunder or wine is within reach."

Major General Sir W. F. P. Napier, K. C. B., took part in the Peninsular War waged between the French on the one side, and the British, Spanish and Portugese on the other, and which lasted from 1807 to 1814. Wellington commanded the British forces and General Napier served under him. General Napier published a history of the Peninsular War in five volumes, and in the preface

said that he was an eye witness to many of the transactions related in this history; his statements, therefore, must be accepted as conclusive as to the conduct of the British soldiers in the war. After the British had captured the city of Badajos he says on page 377 of Volume 3:

"Now commenced that wild and desperate wickedness which tarnished the lustre of the soldier's heroism. All, indeed, were not alike, for hundreds risked and many lost their lives in striving to stop the violence; but the madness generally prevailed, and as the worst men were leaders here, all the dreadful passions of human nature were displayed. Shameless rapacity, brutal intemperance, savage lust, cruelty and murder, shrieks and piteous lamentations, the hissing of fires bursting from the houses, the crashing of doors and windows and the reports of muskets used in violence, resounded for two days and nights in the streets of Badajos. On the third, when the city was sacked, when the soldiers were exhausted by their excesses, the tumult rather subsided than was quelled."

On page 411 of Volume 4 he says:

"This storm seemed to be a signal from hell for the perpetration of villainy which would have shamed the most ferocious barbarians of antiquity. At Rodrigo intoxication and plunder had been the principal object. At Badajos lust and murder were joined to rapine and drunkenness, but at San Sebastian the direst, the most revolting cruelty was added to the catalogue of crimes—one atrocity of which a girl of seventeen was the victim, staggers the mind by its enormous, incredible, indescribable barbarity. The resolution of the troops to throw off discipline was quickly made manifest. A British staff officer was pursued with a volley of small arms, and escaped with difficulty from men who mistook him for the Provost-Marshal of the Fifth Division; a Portugese Adjutant who endeavored to prevent some wickedness was put to death in the market place, not with sudden violence from a single ruffian, but deliberately by a number of English soldiers; and though many officers exerted themselves to preserve order, and many men were well-conducted, the rapine and violence commenced by villains spread; the camp followers soon crowded into the place and the disorder continued until the flames following the steps of the plunderer put an end to his ferocity by destroying the whole town."

On page 415 of Volume 4, he says:

"San Sebastian was a heap of smoking ruins and atrocities degrading to human nature had been perpetrated by the troops. A detailed statement of these crimes was published and signed by the municipal and ecclesiastical bodies, the consuls and principal persons of San Sebastian who solemnly affirmed the truth of each case.

The abhorrent case of the young girl was notorious; so were many others."

Jackson was now famous.

On February 8th, 1815, Governor John Sevier was a member of Congress from Tennessee, and he wrote to his son:

"The Orleans mail has arrived with the news of Jackson's success in repulsing the enemy, which has occasioned much rejoicing in this place; and we have received as many congratulations as though we had been in the action. In consequence of the news the city was very brilliantly illuminated last night, and a constant firing nearly all the night afterwards. Our army of Tennessee is more talked of here than half the world besides. I expect the Wellingtonians begin to think somewhat differently of the Americans, and find they are to meet some trouble before they conquer them."

Governor Blount of Tennessee was a life-long friend of Jackson, and on January 27, 1815, Jackson wrote him a letter on the result of the battle.

GENERAL JACKSON TO GOVERNOR BLOUNT.

"HEADQUARTERS, NEW ORLEANS,

January 27th, 1815.

"Sir: I enclose you a paper that contains my address and general orders to the brave army I had the honor to command on the 8th instant. In addition I have to state that the prisoners taken on the retreat of the enemy state their whole loss, including killed, wounded and missing, is estimated at six thousand five hundred, and that Keane is dead of his wounds. When the numbers are known that were in action on our side, and those badly armed, it will not be accredited, and particularly when the loss of the enemy is compared with my loss, which in killed, since the landing of the enemy, does not exceed fifty-six. The unerring hand of Providence shielded my men from the showers of balls, bombs and rockets; when, on the other hand, it appeared that every ball and bomb from our lines was charged with the mission of death. The spirit of the British in this quarter is broken; they have failed in every attempt. They bombarded Fort St. Phillip for nine days, throwing upwards of one thousand large bombs, exclusive of small ones, with no other effect than killing two and wounding seven; five of the latter so slightly that they are reported for duty.

"Mr. Shields, purser of the Navy, brave and full of enterprise, got a few volunteers, and with four small boats pursued them as they were embarking, took a transport and burned her, several small boats, and one hundred and odd prisoners. For the want of force he was compelled to parole a number; bringing with him

in all seventy prisoners, including two officers. They have lost all their valuable officers and the flower of their army. This argument will have greater weight at Ghent than any other, and I view it as the harbinger of peace. When you see the bravery of your countrymen you must feel proud that you govern such a people. They are worthy to be free. General Coffee's brigade for the whole time literally lay in a swamp, knee deep in mud and water, and the whole of General Carroll's line but little better. Still they maintained their position without murmur. Three thousand stands of arms more than I had on the 8th would, in my opinion, have placed the whole British army in my hands. But the Lord's will be done. Yours, etc.,

ANDREW JACKSON.

"P. S.—I have had but few minutes of ease, and for some days bad health, but am better.

"P. S.—The picket guard state that they lost sight of the last sail of the British at half after eleven o'clock A. M.; and Louisiana may again say her soil is not trodden by the sacrilegious footsteps of a hostile Briton. They were steering for Ship Island. Where destined from thence uncertain."

General Jackson had repulsed the British, but for a short space after the battle he had no official information that peace had been declared between Great Britain and the United States, and therefore, he continued New Orleans under martial law, which created a great deal of discontent and excitement among the people. The General ordered the arrest of Mr. Louallier for publishing in the Louisiana "Courier" an article which Jackson considered in violation of martial law, and Mr. Louallier was placed in confinement; he employed P. L. Morel as his lawyer who at once made application to Judge Dominick A. Hall, District Judge of the United States Court, for a writ of habeus corpus as follows:

"Louis Louallier, an inhabitant of this district, member of the House of Representatives of the State of Louisiana, humbly showeth—

"That he has been this day illegally arrested by F. Amelung, an officer in the forty-fourth regiment, who informed your petitioner that he did arrest your said petitioner agreeable to orders given to him (the said F. Amelung) by his excellency Major General Jackson; and that your said petitioner is now illegally detained pursuant to said orders.

"Wherefore your petitioner prays that a writ of habeus corpus be issued to bring him before your honor, that he may be dealt with according to the Constitution and the laws of the United States.

"P. L. MOREL, Attorney for the petitioner."

This petition was duly sworn to and Judge Hall endorsed upon it:

"Let the prayer of the petition be granted, and the petitioner be brought before me at eleven o'clock tomorrow.

"March 6th.

DOM A. HALL."

Thereupon Mr. Morel addressed notice of the granting of this writ of habeus corpus to General Jackson:

"To his excellency Major General Jackson:

"Sir: I have the honor to inform your excellency that, as counsel, I have made application to his honor Dom. A. Hall, Judge of the District Court of the United States, for a writ of habeus corpus in behalf of Mr. Louallier, who conceived that he was illegally arrested by order of your excellency; and that the said writ had been awarded, and is returnable tomorrow, 6th instant, at eleven o'clock, A.M.

"I have the honor to be your excellency's most humble and obedient servant,

P. L. MOREL, Counsellor at Law."

Upon receipt of this notice General Jackson proceeded promptly to enter upon a new kind of combat to that in which he had been so recently engaged. He at once addressed a communication to Colonel Arbuckle as follows:

"NEW ORLEANS, March 5th, 1815.

"Seven o'clock, P. M.

"Headquarters, Seventh Military District:

"Having received proof that Dominick A. Hall has been aiding and abetting and exciting mutiny within my camp, you forthwith order a detachment to arrest and confine him, and report to me as soon as arrested. You will be vigilant; the agents of our enemy are more numerous than was expected. You will be guarded against escapes.

"A. JACKSON, Major General Commanding."

"Dr. William E. Butler is ordered to accompany the detachment and point out the man.

"A. JACKSON, Major General Commanding."

Judge Hall and Mr. Louallier were made prisoners in the barracks. On Saturday, March 11, General Jackson concluded to give Judge Hall his liberty, but to send him out of the city, which was done and a guard of five of Jackson's men took the Judge five miles above New Orleans.

On Monday, March 15th, official information was received at New Orleans from the United States government that peace had been declared, and Louallier was turned loose and Judge Hall allowed to return to the city.

It now became Judge Hall's turn to operate on General Jackson, and on March 22 it was ordered by the Judge that General Jackson show cause, on the 24th, why he should not be attached for contempt of court in disregarding the writ of habeas corpus in the matter of Louis Louaillier. The city was no longer under martial law, the United States District Court had resumed its jurisdiction, and it was necessary for General Jackson to defend himself against the charge of contempt; and so on March 31, General Jackson appeared in Court and was fined one thousand dollars to be paid to the United States, which the General promptly paid by a check on a New Orleans bank, and so the matter ended at the time; but all through Jackson's political career after that his difference with Judge Hall was one of the staple arguments urged by the opposition to show that he was not such a man as should be entrusted with the power of the President of the United States. In 1842 Congress refunded this fine with interest aggregating twenty-seven hundred dollars.

After the payment of this fine General Jackson remained in New Orleans a short time closing up business connected with supplies furnished to his army in the city, and then left for the Hermitage.

JACKSON TO SENATOR LINN.

Mr. Linn, a senator from the State of Missouri, introduced a bill to refund the fine. On learning this Jackson wrote a letter to Senator Linn, of which leading paragraphs are given.

"Having observed in the newspapers that you had given notice of your intention to introduce a bill to refund to me the fine (principal and interest) imposed by Judge Hall, for the declaration of martial law at New Orleans, it was my determination to address you on the subject; but the feeble state of my health has heretofore prevented it. I felt that it was my duty to thank you for this disinterested and voluntary act of justice to my character, and to assure you that it places me under obligations which I shall always acknowledge with gratitude.

"It is not the amount of the fine that is important to me; but it is the fact that it was imposed for reasons which were not well founded; and for the exercise of an authority which was necessary to the successful defence of New Orleans; and without which, it must now be obvious to all the world, the British would have been in possession, at the close of the war, of that great emporium of the West. In this point of view it seems to me that the country is interested in the passage of the bill; for exigencies like those which existed at New Orleans may again arise;

and a commanding general ought not to be deterred from taking the necessary responsibility by the reflection that it is in the power of a vindictive judge to impair his private fortune, and place a stain upon his character which cannot be removed. I would be the last man on earth to do any act which would invalidate the principle that the military should always be subjected to the civil power; but I contend, that at New Orleans no measure was taken by me which was at war with this principle, or which, if properly understood, was not necessary to preserve it.

"When I declared martial law, Judge Hall was in the city; and he visited me often, when the propriety of its declaration was discussed and was recommended by the leading and patriotic citizens. Judging from his actions, he appeared to approve it. The morning the order was issued he was in my office, and when it was read he was heard to exclaim: 'Now the country may be saved; without it we are lost.' How he came afterwards to unite with the treacherous and disaffected, and, by the exercise of his power, endeavored to paralyze my exertions, it is not necessary here to explain. It was enough for me to know, that if I was excusable in the declaration of martial law in order to defend the city when the enemy were besieging it, it was right to continue it until all danger was over. For full information on this part of the subject I refer you to my defence under Judge Hall's rule for me to appear and show cause why an attachment should not issue for a contempt of court. This defence is in the appendix to 'Eaton's Life of Jackson'.

"There is no truth in the rumor which you notice, that the fine he imposed was paid by others. Every cent of it was paid by myself. When the sentence was pronounced, Mr. Abner Duncan (who had been one of my aides-de-camp, and was one of my counsel), hearing me request Major Reed to repair to my quarters and bring the sum, not intending to leave the room until the fine was paid, asked the clerk if he would take his check. The clerk replied in the affirmative, and Mr. Duncan gave the check. I then directed my aide to proceed forthwith, get the money, and meet Mr. Duncan's check at the bank and take it up; which was done. These are the facts; and Major Davezac, now in the Assembly of New York, can verify them.

"It is true, as I was informed, that the ladies did raise the amount to pay the fine and costs; but when I heard of it, I advised them to apply it to the relief of the widows and orphans that had been made so by those who had fallen in the defense of the country. It was so applied, as I have every reason to believe, but Major Davezac can tell you more particularly what was done with it."

SENATOR BENJAMIN TAPPAN OF OHIO IN THE DEBATE ON
REFUNDING JACKSON'S FINE.

"I ask you to consider the position in which he was placed; the city of New Orleans was, from the necessity of the case, his

camp; the British, in superior force, had landed, and were eight or nine miles below the city; within three hours' march; in his camp were many over whom he had no control, whom he could not prevent (or punish by any process of civil law) from conveying intelligence to the enemy of his numbers, means of defense or offense, as well as of his intended or probable movements; was not the entire command of his own camp necessary to any efficient action? It seems to me that this cannot be doubted. In time of war when the enemy's force is near, and a battle is impending, if your general is obliged, by the necessities of his position, and propriety of his operations, to occupy a city as his camp, he must have the entire command of such city, for the plain reason that it is impossible, without such command, to conduct his operations with that secrecy which is necessary to his success. The neglect, therefore, to take such command, would be to neglect the duty which his country had imposed upon him. I perceive but two ways in which General Jackson could have obtained the command of his own camp; one was by driving all of the inhabitants out of the city, the other by declaring martial law. He wisely and humanely chose the latter, and by so doing, saved the city from being sacked and plundered, and its inhabitants from being outraged or destroyed by the enemy."

"Instead of uniting with the whole population, headed by their venerable Bishop, in joy and thankfulness for a deliverance almost miraculous, achieved by the wisdom and energy of the General and the gallantry of his army, he was brooding over his own imaginary wrongs, and planning some method to repair his wounded dignity. On this day, twenty-seven years ago, he caused a rule of district court to be served on General Jackson, to appear before him and show cause why an attachment should not issue against him for: 1st. Refusing to obey a writ issued by Judge Hall. 2nd. Detaining an original paper belonging to the court. And 3rd. For imprisoning the Judge. The first cause was for the General refusing to obey a writ of habeas corpus in the case of Louallier; the second for detaining the writ. The whole of these three causes assigned are founded on the hypothesis, that instead of General Jackson having command of his camp, he exercised a limited authority under the control of the civil magistracy. I trust I have satisfied you that martial law did in fact exist, and of necessary consequence, that Judge Hall's authority was suspended. If he was injured by it, surely he was not the proper person to try General Jackson for that injury. The principal complaint against General Jackson was for imprisoning the Judge. The imprisonment consisted in sending an officer to escort him out of camp; and for this, instead of taking the regular legal remedy, by an action for assault and false imprisonment, in the State court, which was open to him as well as every other citizen, he called the General to answer before himself. He went before the Judge and proffered to show cause;

the Judge would not permit him to do this, nor would he allow him to assign his reason in writing for his conduct, but, without trial, without a hearing of his defence, he fined him one thousand dollars. You all know the conduct of the General on that occasion; he saved the Judge from the rising indignation of the people and paid his fine to the United States marshal. These proceedings of Judge Hall were not only exceedingly outrageous, but were wholly illegal and void; for, as says an eminent English jurist, 'even an act of parliament cannot make a man a judge in his own case.' This was truly and wholly the cause of the Judge himself. If a law of Congress had existed which authorized him to sit in judgment upon any man for an injury inflicted upon himself, such a law would have been a mere dead letter, and the Judge would have been bound to disregard it. It was the violation of this principle of jurisprudence which aroused the indignation of the people and endangered the life of the contemptible judge. I am aware of the law of contempt; it is the power of self preservation given to the courts; it results from necessity alone, and extends no further than necessity strictly requires; it has no power to avenge the wrongs and injuries done to the judge, unless those wrongs obstruct the regular course of justice. I am aware also of the manner in which the law of contempt has been administered in our courts where no statute law regulated it, and it was left to the discretion of the judges to determine what was or was not a contempt. In one case, a man was fined for contempt for reviewing the opinion of a judge in a newspaper. This judge was impeached before this body and acquitted, because not quite two-thirds of the Senate voted him guilty. Some senators, thinking probably that as Congress had neglected to pass a law on the subject of contempt, the judge had nothing to govern his discretion in the matter, and therefore ought not to be convicted. Congress immediately passed such a law, and no contempts have occurred since in the United States courts."

PART OF JACKSON'S ANSWER IN THE CONTEMPT CASE.

"The enemy had retired from their position, it is true; but they were still on the coast, and within a few hours' sail of the city. They had been defeated, and with loss; but that loss was to be repaired by expected reinforcements. Their numbers much more than quadrupled all the regular forces which the respondent could command; and the term of service of his most efficient militia force was about to expire. Defeat, to a powerful and active enemy, was more likely to operate as an incentive to renewed and increased exertion, than to inspire them with despondency, or to paralyze their efforts. A treaty, it is true, had been probably signed, but yet it might not be ratified. Its contents even had not transpired; so that no reasonable conjecture could be formed whether it would be acceptable; and the influence

which the account of the signature had on the army was deleterious in the extreme, and showed a necessity for increased energy instead of relaxation of discipline. Men who had shown themselves zealous in the preceding part of the campaign became lukewarm in the service. Wicked and weak men, who, from their situation in life, ought to have furnished a better example, secretly encouraged the spirit of insubordination. They affected to pity the hardships of those who were kept in the field; they fomented discontent by insinuating that the merits of those to whom they addressed themselves had not been sufficiently noticed or applauded; and disorder rose to such an alarming height, that at one period only fifteen men and one officer were found out of a whole regiment stationed to guard the very avenue through which the enemy had penetrated into the country. At another point, equally important, a whole corps, on which the greatest reliance had been placed, operated upon by the acts of a foreign agent, suddenly deserted their post. If, trusting to an uncertain peace, the respondent had revoked his proclamation, or ceased to act under it, the fatal security by which they were lulled, would have destroyed all discipline, dissolved all his force, and left him without any means of defending the country against an enemy instructed by the traitors within our bosom, of the time and place at which he might safely make his attack. In such an event, his life, which would certainly have been offered up, would have been but a feeble expiation for the disgrace and misery into which his criminal negligence would have plunged the country."

On arriving at Nashville he was given a banquet on May 22d, and the Governor of the State presented the sword voted him by the State of Mississippi the year before.

On January 8, 1908, the Honorable John W. Gaines of Nashville, who represented the Nashville District in Congress from March 4, 1897, to March 4, 1909, introduced a bill in the House of Representatives making an appropriation of five thousand dollars to locate, mark, and protect the graves of American soldiers killed in the several battles at New Orleans in 1814-1815; and, thereupon, there arose in Tennessee an earnest and extended investigation and discussion by interested persons through various channels to ascertain, especially, the names of the eight who were killed in the battle of January 8, 1815. The Quartermaster General of the United States army by communication of December 23, 1907, informed Mr. Gaines that the remains of soldiers who fell at the battle of New Orleans and others of the Civil War were buried at Chalmette National Cemetery, located on the New Orleans battlefield, about three miles east of the city.

In the investigation and discussion referred to there developed a difference of opinion whether six or eight men were killed on January 8, but the probabilities are that there were eight, and while their names cannot be given with a certainty that is beyond question, it may be said that seven of the eight were Tennesseans as follows:

James Kirkpatrick, of Sumner County.
David Harper, of Sumner County;
James Henry Smith, of Maury County;
James Moore, of Maury County;
John Thompson, of Bedford County;
William Smith, of Davidson County;
Clement Hancock.

The investigation did not develop the name of the eighth man with certainty, and there were several different suggestions as to who he was.

Mr. Gaines' bill did not become a law, but its introduction had the merit of causing to be rescued from oblivion and placed upon their country's roll of honor and fame, the names of at least seven of those who are entitled to be remembered always.

Mr. Gaines did some valuable work while a member of Congress in defending the fame of Andrew Jackson by correcting unfounded statements and accusations on the floor of the House, whether emanating from sectional prejudice or ignorance, and on each 8th day of January for a number of years—the anniversary of the Battle of New Orleans—he was accustomed to address the House on some phase of the life, character or career of Andrew Jackson; and on the 8th day of January, 1907, he spoke on the Battle of New Orleans, as reported in the Congressional Record:

HONORABLE JOHN W. GAINES' SPEECH.

"Mr. Chairman: Ninety-two years ago to-day Andrew Jackson and his raw troops defeated, at New Orleans, and drove the English army finally, I hope, from the jurisdiction of the United States. It is a coincidence that we are to-day engaged in the consideration of a bill 'making appropriation for the support of the Army for the fiscal year ending June 30, 1908.'

"It is not my purpose now, Mr. Chairman, to speak of the patriotic deeds of Andrew Jackson, nor to elaborate the history of the great battle of New Orleans, but I have some pertinent and timely matter that I wish to read to the House. My main purpose to-day is to call the attention of this House to the fact

that this is the ninety-second anniversary of that great event, and that the American Congress in 1815, passed a resolution of thanks to General Jackson and his troops, and ordered a gold medal to be given him at the public expense.

"I will ask the clerk to read that resolution."

The Clerk read as follows:

"'Resolutions expressive of the thanks of Congress to Major General Jackson and the troops under his command for their gallantry and good conduct in the defense of New Orleans.

"'RESOLVED, etc., That the thanks of Congress be, and they are hereby, given to Major-General Jackson, and, through him, to the officers and Soldiers of the Regular Army, of the militia, and of the volunteers under his command, the greater proportion of which troops consisted of militia and volunteers suddenly collected together, for their uniform gallantry and good conduct conspicuously displayed against the enemy from the time of his landing before New Orleans until his final expulsion therefrom, and particularly for the valor, skill, and good conduct on the 8th of January last in repulsing, with great slaughter, a numerous British army, of chosen veteran troops, when attempting, by a bold and daring attack, to carry by storm the works hastily thrown up for the protection of New Orleans, and thereby obtaining a most signal victory over the enemy, with a disparity of loss on his part, enexampled in military annals.

"'RESOLVED, That the President of the United States be requested to cause to be struck a gold medal, with devices emblematical of this splendid achievement, and presented to Major-General Jackson as a testimony of the high sense entertained by Congress of his judicious and distinguished conduct on that memorable occasion.

"'RESOLVED, That the President of the United States be requested to cause the foregoing resolutions to be communicated to Major-General Jackson in such terms as he may deem best calculated to give effect to the objects thereof.

"'Approved February 27, 1815. (30th Cong., 3d sess., resolution 10.)'

"Mr. GAINES of Tennessee. Mr. Chairman, on January 21, 1815, General Jackson had 'read at the head of each of the corps composing the line below New Orleans' an address, and amongst other things he spoke of this marvelous victory which prompted the Congress to unanimously pass this resolution of thanks. General Jackson, in this address to his troops, in part said:

"'On the 8th of January the final effort was made. At the dawn of day the batteries opened and the columns advanced. Knowing that the volunteers from Tennessee and the militia from Kentucky were stationed on your left, it was there they directed their chief attack.

"'Reasoning always from false principles, they expected little opposition from men whose officers were not even in uniform,

who were ignorant of the rules of dress, and who had never been *caned into discipline.* (Italics his.)

"Fatal mistake! A fire incessantly kept up, directed with a calmness and unerring aim, strewed the field with the bravest officers and men of the column which slowly advanced according to the most approved rules of European tactics, and was cut down by the untutored courage of American militia.

"Unable to sustain this galling and unerring fire, some hundreds nearest the intrenchments called for quarter; the rest, retreating, were rallied at some distance, but only to make them a surer mark for the grape and canister shot of our artillery, which, without exaggeration, mowed down whole ranks at every discharge, and at length they precipitately retreated from the field.

"Our right had only a short contest to sustain with a few rash men, who, fatally for themselves, forced their entrance into the unfinished redoubt on the river.

"They were quickly dispossessed, and this glorious day terminated with a loss to the enemy of their commander in chief, and one major-general killed, another major-general wounded and the most experienced and bravest of their officers *and more than 3,000 men killed, wounded and missing, while our ranks, my friends, were thinned only by the loss of 7 of our brave companions killed and 6 disabled by wounds—wonderful interposition of heaven! Unexampled event in the history of war.*

"Let us be grateful to the God of battles, who has directed the arrows of indignation against our invaders, while he covered with his protecting shield the brave defenders of their country.

"After the unsuccessful and disastrous attempt, their spirits were broken, their force was destroyed, and their whole attention was employed in providing the means of escape. This they have effected, leaving their heavy artillery in our power, and many of their wounded to our clemency. The consequences of this short, but decisive, campaign are incalculably important. The pride of our arrogant enemy humbled, his forces broken, his leaders killed, his insolent hopes of our disunion frustrated, his expectation of rioting in our spoils and wasting our country changed into ignominious defeat, shameful flight, and a reluctant acknowledgment of the humanity and kindness of those whom he had doomed to all the horrors and humiliation of a conquered state."

"I have before me, Mr. Chairman, the speeches delivered in the House in February, 1815, touching upon this resolution and upon this wonderful military feat of our forces. Mr. Troop of Georgia, reported the resolution. He said:

"That he congratulated the House on the return of peace; if the peace be honorable, he might be permitted to congratulate the House on the glorious termination of the war. He might be permitted to congratulate them on the glorious termination of the most glorious war ever waged by any people. To the glory

of it General Jackson and his gallant army had contributed not a little. I cannot, sir, perhaps language cannot, do justice to the merits of General Jackson and the troops under his command, or to the sensibility of the House; I will therefore forbear to trouble the House with the usual prefatory remarks; it is a fit subject for the genius of Homer.

"But there was a spectacle connected with this subject upon which the human mind would delight to dwell—upon which the human mind could not fail to dwell with peculiar pride and exultation. It was the yeomen of the country marching to the defense of the city of Orleans, leaving their wives and children and firesides at a moment's warning. On the one side, committing themselves to the bosom of the mother of rivers; on the other, taking the route of the trackless and savage wilderness for hundreds of miles. Meeting at the place of rendezvous; seeking, attacking, and beating the enemy in a pitched battle; repulsing three desperate assaults with great loss to him; killing, wounding, and capturing more than 4,000 of his force, and finally compelling him to fly precipitately the country he had boldly invaded. *The farmers of the country triumphantly victorious over the conquerors of the conquerors of Europe. 'I came, I saw, I conquered,' says the American husbandman, fresh from his plow.*

"The proud veteran who triumphed in Spain and carried terror into the warlike population of France was humbled beneath the power of my arm. The God of Battles and of Righteousness took part with the defenders of their country, and the foe was scattered before us as chaff before the wind. It is, indeed, a fit subject for the genius of Homer, of Ossian, or Milton.

"That a militia should be beaten by militia is of natural and ordinary occurrence; that regular troops should be beaten by militia is not without example; the examples are as numerous, or more numerous, in our own country than in any other; but that regular troops, the best disciplined and most veteran of Europe, should be beaten by undisciplined militia, with the disproportion of loss of a hundred to one, is, to use the language of the commanding general, almost incredible. The disparity of the loss, the inequality of force, the difference in the character of the force, all combine to render the battle of the 8th of January at once the most brilliant and extraordinary of modern times. Nothing can account for it but the rare merits of the commanding general and the rare patriotism and military ardor of the troops under his command.

"Glorious, sir, as are these events to the American arms, honorable as they are to the American character, they are not more glorious and honorable than are the immediate consequences full of usefulness to the country. If the war had continued the men of the country would have been inspired with a noble ardor and a generous emulation in defense of the country; they would have struck terror into the invader, and given con-

fidence to the invaded. Europe has seen that to be formidable on the ocean we need but will it. Europe will see that to be invincible on land it is only necessary that we judiciously employ the means which God and nature have bountifully placed at our disposal. *The men of Europe, bred in camps, trained to war, with all the science and all the experience of modern war, are not a match for the men of America taken from the closet, the bar, the court-house, and the plow. If, sir, it be pardonable at any time to indulge the sentiments and feelings, it may be deemed pardonable on the present occasion.*

"Mr. Robertson, a Member of Congress from Louisiana—and I dare say an ancestor of the present Member from Louisiana of the same name, the Hon. Sam Robertson—said:

"'Mr. Speaker, representing alone on this floor an interesting part of our country, saved by heroism unmatched from horrors which cannot be described, I shall be excused for expressing my admiration of General Jackson, his great achievements, and the splendid battles which we now commemorate.'

"He then spoke of the fidelity of the Louisiana French to Jackson in this crisis. Many of them that came under the command of General Jackson were French or of French descent, and it was expected that they would not faithfully fight. Yet they not only did that, but this same Congress passed a resolution of thanks specially to the people of Louisiana for the great assistance they gave General Jackson on this occasion.

"Mr. Robertson then continues in describing Jackson's army and his rough breastworks:

"'Hasty levies of half-armed, undisciplined militia from the interior of our vast continent, from the banks of the Tennessee, the Cumberland, and the Ohio, traversing wide and trackless regions, precipitate themselves to the scene of conflict, resolute to defend their distant brethren from the dangers with which they are menaced. There the hardy sons of the West, with the yeomanry of the adjacent territory and the invaded State, with a handful of regulars and a few armed vessels, constituted that force from which the tremendous armament of our enemy was to experience the most signal overthrow the world has ever witnessed. But Jackson was their leader, and though inexpert in scientific warfare, they were animated by something more valuable than discipline, more irresistible than all the energy which mere machinery can display; they were animated by patriotism, by that holy enthusiasm which surmounts all difficulties and points the way to triumph. Happy if a parallel to their conduct may be found. It must be looked for in the achievements of those who, like themselves, fought for the liberties of their country. History records, to the consolation of freemen, that the Poles, unarmed and ignorant of tactics, beat the veteran troops of Frederick and Catherine in many pitched battles, never less than three times their numbers, but their leader was Kosciusko. In the early

stages of the Revolution the peasantry of France, under Custine and Du Mourier, repulsed from their soil the disciplined thousands of the Duke of Brunswick; but it was not the Poles nor the Frenchman; *it was love of country*. It was the cause.'

"He speaks of the 8th of January in these words:

"On the 8th of January, a day destined to form an era in history, this army of invincibles, led on by gallant chiefs, advanced to the charge with firm step, according to methods most approved—trenches hastily thrown up, defended by what they considered a mob, a vagabond militia, promised an enterprise destitute alike of hazard and of honor. They were met by an incessant and murderous sheet of fire; intrepidity stood appalled, their generals slain, the ditch filled, the field strewed with the dying and the dead; a miserable remnant of their thousands fled back to their intrenchments. The battle closed, a battle whose character, from the nature of the troops engaged and the disparity of loss, is the most wonderful, whose effects are as important as any that was ever fought. *And now we are invited to the contemplation of a scene which reflects immortal honor on the inhabitants of New Orleans and, by contrast, eternal shame on the enemy.*

"*The dead were interred, the agonies of the dying were assuaged, the wounded relieved; that property which was to have been given up to plunder was willingly yielded to their wants, and the very individuals, the marked victims of their licentiousness, vied with each other in extending to them every proof of tenderness and humanity.*

"Mr. Speaker, I am reminded in reading that paragraph of one of the things that made the troops under Jackson fight so. The enemy said victory meant 'booty and beauty' to them. It meant not only plunder, but invasion of all that is sacred to you—wife and daughters—and yet so humane were the soldiers of Jackson—the Tennesseans, the Kentuckians, and the Mississippians—who fought that battle, and the people of New Orleans, that they cared for the wounded and they buried the dead, and Jackson secured before the battle ended a suspension of the fight in one place to attend to this humane duty. Mr. Chairman, just a few steps more in this great debate about this resolution and then I am done.

"The CHAIRMAN. The time of the gentleman has expired.

"Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended ten minutes.

"The CHAIRMAN. The Chairman would state to the gentleman that the time is controlled by the gentleman from Iowa and the gentleman from Virginia.

"Mr. HAY. I yield the gentleman ten minutes.

"Mr. GAINES of Tennessee. Mr. Ingersoll, from the great State of Pennsylvania on this occasion said:

" 'Mr. Speaker, I regret that these resolutions require any amendment. I am persuaded, however, that their final passage will be unanimous. The House will excuse me, I hope, if I indulge myself in a few observations on this occasion. I speak impromptu, sir, without premeditation—I have found it impossible to think—I have been able only to feel these last three days. The unexpected, the grateful termination of the glorious struggle we have just concluded, is calculated to excite emotions such as can be understood by those only who can feel them.

" 'For the first time during this long, arduous, and trying session we can all feel alike—we are all of one mind—all hearts leap to the embraces of each other. Such a spectacle as that now exhibited by the Senate and House of Representatives of the United States of America was never presented to the world before.

" 'While the Senate are ratifying a treaty of peace, the House of Representatives are voting heartfelt thanks to those noble patriots, those gallant citizen-soldiers who have crowned that peace with imperishable luster. The terms of the treaty are yet unknown to us. But the victory at New Orleans has rendered them glorious and honorable, be they what they may. They must be honorable under such a termination of the war.

" Those commissioners who have afforded us such signal credentials of their firmness heretofore, can not possibly have swerved. The Government has not betrayed its trust. The nation now can not be discredited. It has done its duty and is above disgrace.

" *Within five and thirty years of our national existence we have achieved a second acknowledgment of our national sovereignty.*

" In the war of the Revolution we had allies in arms, reinforcements from abroad on our own soil, and the wishes of all Europe on our side.

" But in this late conflict we stood single-handed. Not an auxiliary to support us, not a bosom in Europe that dared beat on our behalf, not one but what was constrained to stifle its hopes, if it entertained any in our favor. The treaty signed at Paris on the 30th of last May placed us in a situation of the utmost emergency.'

" Mr. Chairman, peace had been agreed to before the battle of New Orleans had been fought, but Jackson did not know it, nor did the English generals; otherwise this battle would not have been fought.

" Mr. Chairman, I must be brief. I love to read after those old statesmen—the old patriots. It is well for us to quit reading a whole lot of modern trash and 'go away back up the creek,' and read the words of patriots who were unbought and unpurchasable, who would not sell their independence, their own thoughts, their own belief, their influence, or their power of speech for self or power (Applause.) Hence I have read these reso-

lutions and from those old speeches of 1815, which you seem to enjoy.

"The victory of Jackson and his troops, to use a short expression, 'set up' this country, and, as one of these speakers said, made it a 'sovereign' in the eyes of the world. This, Jackson's victory, has compelled the world to respect American arms—the Stars and Stripes—as no other one military act has done.

"Before this, I should have said, there was only one known soldier who deserted from Jackson's army. He went over and told the English where he thought the weak places in Jackson's forces were, and I find in a little red-backed book somebody sent me today, entitled 'An Official and Full Detail of the Battle of New Orleans,' by Maj. B. M. Davis, a footnote that states that as a fact, as follows:

"This man was the *only* deserter from Jackson's army. He told Sir Edward where the *weakest* parts of the American lines were, having nothing but Tennessee and Kentucky militia to defend it. The principal column attacked *that* point. After the defeat they *railed* at the deserter and *hung* him."

"No one can blame the English for that hanging. It is rather remarkable enough were left alive to make a good job of it.

"I read now, Mr. Chairman, from a fellow-citizen from the city of Nashville, Col. Arthur S. Colyar, who has recently written a book entitled 'The Life and Times of Andrew Jackson.' This splendid old man—statesman, lawyer, patriot, and author—son of a King's Mountain hero, still survives and will be out to-night, I dare say, at the Hermitage Club, Nashville, where the Ladies' Hermitage Association, which takes care of the 'Hermitage,' where Jackson lived and died, will celebrate the victory of New Orleans, as they do annually.

"Indeed, he will not only be out tonight, but I dare say he will be out tomorrow, for he is still an active practitioner at the Nashville bar, though about 84 years of age. Here is what he says about this marvelous victory of Jackson:

"*The battle of the 8th of January is a mystery. It is difficult to believe the well-established facts.*"

"That is what Jackson himself said when he reported only six killed on the 8th of January.

"Colonel Colyar continues:

"Historians have been slow to admit the facts as they are. In these chapters I am undertaking to account for this marvelous triumph by untrained militia over one of the best armies England ever sent into the field, and I trust my readers will not be impatient to have me reach that memorable day in our history, because to know and be satisfied about the result of the 8th and the complete triumph of General Jackson, contending with more than double his number, and how it was done, the whole facts must be given, though it may seem tedious. No writer that I have found has satisfactorily accounted for this marvelous

chapter in war. Jackson, by a generalship that has no counterpart, whipped this great battle before he got to it. If I take what may seem to be more time than is necessary in reaching the final struggle, let it be remembered that nothing like it is recorded in history.

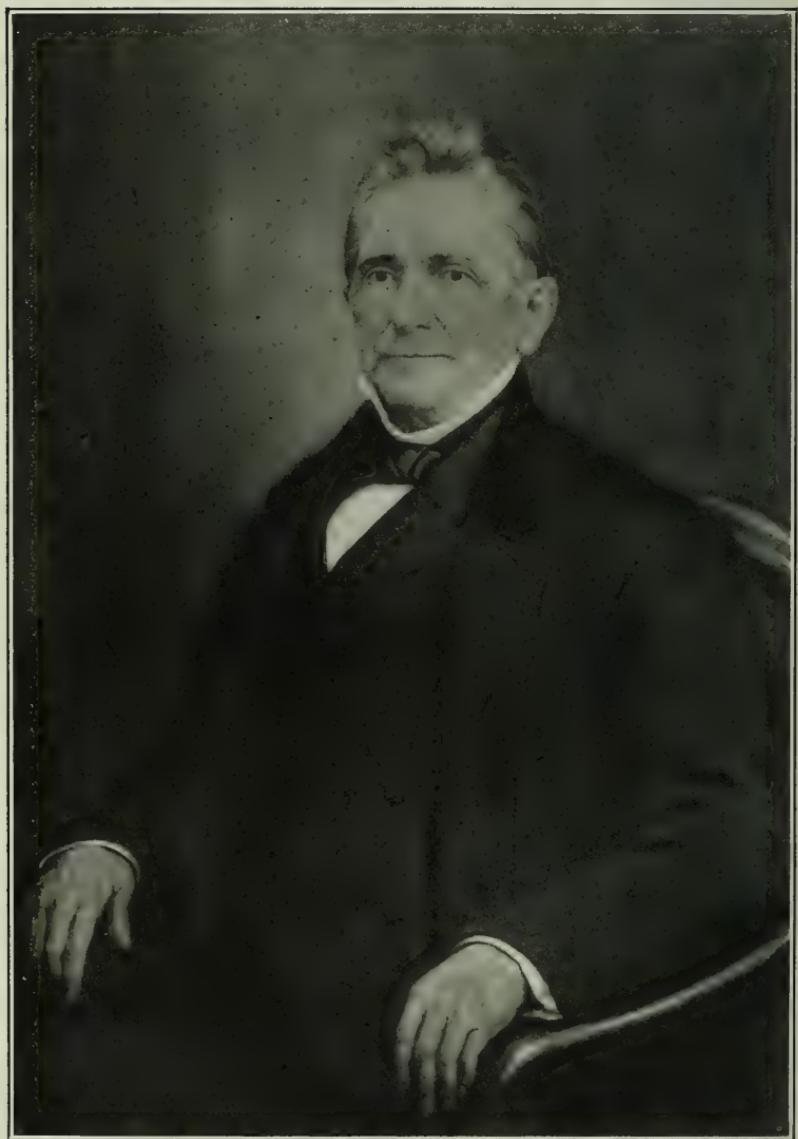
"Two thousand dead British and less than a dozen men lost on the American side is the wonder in war's record, the loss from the time of landing being more than 3,000."

"Colonel Colyar then quotes at length from Jackson and New Orleans, by Walker, who graphically describes Jackson's troops between December 28, 1814, and the 1st of January, 1815, when the two armies were confronting each other on a level plain, as follows:

"These wily frontiersmen, habituated to the Indian mode of warfare, never missed a chance of picking up a straggler or sentinel. Clad in their dusky, brown home-spun, they would glide unperceived through the woods and, taking a cool view of the enemy's lines, would cover the first Briton who came within range of their long, small-bored rifles. Nor did they waste their ammunition. Whenever they drew a bead on any object it was certain to fall. The cool indifference with which they would perform the most daring acts would be amazing."

"Mr. Chairman, those men fought with flintlock guns, with shotguns, and with squirrel rifles, such as they could hurriedly gather together in Tennessee and Kentucky and Mississippi, accomplished this wonderful victory over the pride of British troops.

"How much, Mr. Chairman, since then the burden has increased upon the American people! We have been benefited by the fruits of that great victory as individuals and as a nation. We have millions and millions of money with which to buy and make the greatest, strongest, and most dangerous guns and men of war. How much greater now, in time of peace, is the responsibility on us to avoid war. Our ability is greater now to do so than ever before. Let us be actually at peace with all the world; speed the day by our example and by our teachings to at least a gradual removal of the causes of war—thus bar all its evils at a near day. Let us aid other countries that have been struggling so long at the mouth of the cannon and in front of the bloody bayonet for the same glorious principles and privileges which Jackson and his troops on the 8th day of January fought for, and that we, their children, are enjoying here today, but which we can aid others to get without bloodshed. (Applause.)"



HONORABLE WILLIAM HEISKELL
The Author's Father.

CHAPTER 31.

Memorial—William and Julia Gahagan Heiskell.

Those persons who consider it a mark of poor breeding for one who is very proud of his father and mother to say so to others, or, to write so in a book, will conclude that the author has sinned most grievously in this chapter against the canons of alleged gentility, or, the rules of conventional propriety. It is due the reader that it be said that such canons and such rules are in instances, as the author views them, proper subject for jest among people who do not think all there is in life is the external and the superficial—in other words, show only. Conventional rules are in a measure necessary and proper, but their wisdom and utility depend upon what they intrinsically are. It is more than an opinion—it is a certainty—that some of our social rules are breeders of hypocrisy and deception, to say nothing else, and that they are “more honored in the breach than in the observance.”

People differ widely about the career and views of Theodore Roosevelt, but there ought to be no difference of opinion on his eulogizing in his autobiography, his father and mother and “Uncle Jimmy Bulloch,” his mother’s brother, which he does whole-heartedly. This and his evident affection for children are the finest things in his book.

For illustration, he says, “My father, Theodore Roosevelt, was the best man I ever knew. He combined strength and courage with gentleness and great unselfishness * * * * He was interested in every social reform movement and he did an immense amount of practical charitable work himself.”

Again, “My mother, Martha Bulloch, was a sweet, gracious, beautiful Southern woman, a delightful companion and beloved by everybody.”

Again, “Uncle Jimmy Bulloch was a dear old retired sea captain and utterly unable to ‘get on’ in the wordly sense of that phrase, as valiant and simple and upright a soul as ever lived, a

veritable Colonel Newcomb. He was an Admiral in the Confederate Navy and was the builder of the famous Confederate war vessel Alabama."

Who does not respect Roosevelt more for writing these lines?

Devotion to parents does not stop with the parents. It is the tie that binds families together; it is the cement of the American home. Without it the American home would become a wreck, and that wreck would destroy the loftiest ideals and the finest aspirations of the republic. A dangerous tendency has seemed to appear of late years in the United States—a tendency to loosen the family bonds, to disrupt the old order of domestic things, to alienate blood from blood, to make unconnected, unsympathetic units of everybody. This tendency is abhorrent to all that is best in our past, and provocative of untold evils in our future, and calls for the joint action of all well-meaning mankind to overthrow and crush it.

HONORABLE WILLIAM HEISKELL.

My father, Hon. William Heiskell, was a Marylander by birth, at Hagerstown, but his parents moved to Virginia in his very early years, so that he was always considered, and so considered himself, a Virginian, where he had a large family connection. After his maturity as the years went by, he was very successful in a financial way and became the owner of slaves and lands. He was a member of the Virginian Legislature and of the Virginia Constitutional Convention, and his influence was pronounced and Statewide in that Commonwealth. Prior to the Civil War, two of his brothers, Frederick and Daniel Heiskell, having moved to Tennessee, he followed them, and located on the Little Tennessee river, in the land of the Cherokees, on a large plantation, where he lived the usual life of a slave-holding planter of ante-bellum days. When he came to Tennessee there was not a railroad in the State, and he and his brother Frederick devoted several years, in conjunction with others, to arousing a public sentiment that would materialize in the construction of railroads. At that time Chattanooga was a town of about 1,000 inhabitants, Knoxville about 2,000, and the population of Eastern Tennessee, from Bristol to Chattanooga was small and very much scattered. Other parts of Tennessee, while a little more advanced, was not very much so. The real development of all parts of Tennessee came after the railroad era began.

The State, under the Constitution of 1834, was authorized to lend its credit in the shape of bonds to promote railroad construction, and in the eastern part of the State, the Hiwassee Railroad Company was chartered, and the aid of the State loaned to its construction; but somehow, for one reason or another, the road had mishaps and drawbacks and discouragements to the extent that public opinion concluded that it would be best to transfer the interests of the State in that railroad Company to the East Tennessee and Georgia Railroad Company, which was designed to extend from Knoxville to Chattanooga; and so in the Legislature of 1847 it became an acute question before that body whether the State's interest in the Hiwassee Road should be transferred to the East Tennessee and Georgia Road. Frederick S. Heiskell was a member of the State Senate from Knox County, and was one of the active supporters of the bill to make the transfer, which was passed on February 4, 1848. In 1849, William Heiskell was a member of the House of Representatives from Monroe County, Tennessee, and supported additional legislation for the East Tennessee and Georgia Railroad. That road went into active and successful construction, and was completed to Knoxville in 1854, and from about the year 1849 or 1850, he was a director in the East Tennessee and Georgia Railroad, and so remained until that road was consolidated with the East Tennessee and Virginia Railroad, extending from Knoxville to Bristol, Tennessee, a distance of 130 miles, under the name of the East Tennessee, Virginia and Georgia Railroad. He then became a director in the consolidated road and remained such until about a year before his death, when, by reason of bad health, he had to cease connection with all business enterprises whatever. The consolidated road extended the full length of the valley of East Tennessee, from Bristol to Chattanooga, a distance of 242 miles, through one of the most beautiful, picturesque and wealthy valleys in the world.

The Knoxville and Kentucky Railroad, extending from Knoxville to Caryville, Tennessee, was one of the roads that received State aid, and was in part constructed before the Civil War, and my father was a director in that road, but when he became such I cannot certainly state, but it is certain that he was a director after the Civil War when Col. Charles M. McGhee was President, and he remained a director until he resigned on account of ill health as in the case of the East Tennessee, Virginia and Georgia

Railroad. The Knoxville and Kentucky Railroad is now a part of the Southern Railway, which extends from Knoxville to Jellico on the Kentucky State Line.

He was an original charter Trustee of Hiwassee College in Monroe County, the incorporation of which by the State Legislature he championed while a Representative in the Legislature in 1849 and 1850. The bill incorporating the college charter passed February 8, 1850.

At the time of his death and for a number of years before, he was a Trustee of the University of Tennessee, and also President of the Board of Trustees of Hampden Sidney Academy, in the City of Knoxville.

He was Speaker of the Tennessee House of Representatives in 1865, and it was during this period that the Legislature offered a reward of \$5,000.00 for the apprehension and delivery of Gov. Isham G. Harris to the civil authorities of the State. At this writing, 1920, fifty-three years after this reward was offered, very few persons know that such action was ever taken by the Legislature, and none born since can appreciate the exceeding bitterness of those days between the champions of the North and the supporters of the South. Vast and seemingly incurable antagonism existed, not only between the sections and political parties, but between individuals and families, and it was out of this condition that the reward was offered for Gov. Harris, as follows:

“REWARD FOR GOV. HARRIS.”

“Resolved by the General Assembly of the State of Tennessee, that the Governor of this State is hereby authorized and instructed to offer a reward of \$5,000.00 for the apprehension and delivery of Isham G. Harris to the civil authorities of the State. He shall fully describe said fugitive from justice and cause publication to be made for three months or longer, as he may deem proper, in one newspaper in each of the three grand divisions of the State, and in papers published at Richmond, Virginia, Raleigh, North Carolina, Savannah, Georgia, Little Rock, Arkansas, New Orleans, Louisiana, and publish these preambles and resolutions with his proclamation.

Passed May 1, 1865.

William Heiskell,
Speaker of the House of Representatives.
Samuel R. Rogers,
Speaker of the Senate.”

Gov. Harris was never captured pursuant to this resolution, so the reward was never paid.

From 1865 to 1895 is thirty years, and in the latter year, the same Isham G. Harris was a candidate before the Tennessee Legislature for a fourth term in the United States Senate, and I was a representative in the Legislature from Knox County, and was requested by the managers of the Senator's interests to put him in nomination before the body for re-election, which was done in this address:

THE AUTHOR'S ADDRESS.

MR. SPEAKER:

"I have been informed that the Republican caucus will present to the General Assembly the name of Honorable E. J. Sanford of Knoxville as a candidate for the support of the Republican members for the United States Senate, and I take this opportunity to say that Colonel Sanford is a very strong and able man whom it would do Republicans credit to vote for. In my judgment he is the ablest business Republican in the State, and has so demonstrated by his varied activities and successes in the City of Knoxville where he has lived for forty-one years. Politically he is a firm and settled Republican, who is loyal to the national principles and policies of the Republican party. He never marches under two flags; he never makes believe. He came south from Connecticut, and by brains, sagacity, industry and perseverance has achieved a high position in the business and commercial world in Tennessee. He never plays the demagogue in politics, and his appeals are based on what in his judgment are the policies which are best for the country.

"In presenting Colonel Sanford's name before this General Assembly for United States Senator, the Republican members have taken a long step forward to lessen the vast distance between the average southern Republican politician and that distinguished Democratic Senator, Isham G. Harris, whom it is my pleasure to place before this body as the nominee of the Democratic caucus for Senator.

"Mr. Speaker, in 1876 I sat in Staub's Theatre in Knoxville as a boy of eighteen years and had the pleasure of listening to a speech delivered by a former Governor of Tennessee who was then a candidate for the United States Senate. A large and enthusiastic audience listened to the delivery of that speech, and he was elected to the United States Senate. Six years rolled around and he was again elected; six years again rolled around and a grateful constituency elected him a third time to the exalted position of Senator, and, now, Mr. Speaker, with a reputation that is as broad as the republic, from the Atlantic to the Pacific, from the Lakes on the north to the Gulf on the south, with a reputation that is not only national but international, I come

today to nominate for a fourth term in the United States Senate that distinguished Democrat, that great Tennessean, Senator Harris, a man who, in every test before the United States Senate where the interests of the great mass of the people were involved upon the one side and corporate power upon the other, has taken the side of the people. As a parliamentarian he ranks as the equal of Henry Clay in his palmiest days as Speaker of the House of Representatives in Congress. He is the peer of any man upon the floor of the United States Senate. A man of indomitable firmness and of broad and limitless partiotism, he ranks as the leader upon the Democratic side of the Senate, and he has the distinction of being the Senator to whom that cultured gentleman of the Republican party, Chester A. Arthur, expressed his willingness to vacate the Presidency of the Senate for, if the Senate would choose him to fill the vacancy.

"All through the deadly strain and strife of the Civil War, when the republic was rocked to its foundation, and no man could foresee what destiny had in store for the people, either of the north or of the south, Isham G. Harris towered like Ajax as the head and leader of Confederate sentiment in Tennessee, and fearlessly fought for the cause that was finally lost, which cause he thought was eternally right, and loyally stood by its defeated champions in the days of reconstruction that followed. In all of this dark and awful period, his superb manhood and unfaltering devotion to right as he saw the right, shone like a pillar of fire throughout the south. As time went by, it came to pass that men, who would liked to draw the halter that hung him on a tree, as passion cooled and the real issue in the conflict became clearer by the unfailing light of history, came to respect his character and admire his manhood, though repudiating his principles. When he took his seat in the Senate for the first time in 1877, thousands of men throughout the nation watched his every word to see if the man they considered a fire-eater and a brand of discord, would strive to stop the healing of the nation's wounds, and would perpetuate the animosities of by-gone years. But they did not know Isham G. Harris. He saw, as all sane minds saw, that Grant at Appomatox in the greatest utterance of his life, had sounded the trumpet of our recall to national prosperity, when he said 'Let us have Peace.' Senator Harris' words and actions in the Senate said also 'Let us have Peace,' and his every effort, in all his years as a Senator, was to push forward the nation's prosperity, to make the republic stronger and greater, and to reunite what had before seemed forever and irrevocably torn asunder. His statesmanship and conservative course brought the strong friendship of the ablest Republican leaders in the Senate.

"Mr. Speaker, by the authority and at the request of the managers of Senator Harris' campaign, before this General Assembly, I put that great Democrat in nomination for a fourth term in the United States Senate."



Memorial window to Honorable William Heiskell in the Chapel of St. John's Episcopal Church,
Knoxville, Tennessee.

Senator Harris was elected by a large majority and served of this fourth term from March 4, 1895 to July 8, 1897, about twenty-eight months, when he died, and his remains were taken to Memphis, Tennessee, for burial.

I think my father was the most consistently honorable man I ever knew. He died crowned with years and with not a spot of dishonor upon a long life's record. His grand integrity was without blemish or flaw. He held public office and in a sense was a politician, but not of the usual kind. He submitted every question to the supreme test of honor as a man, and of the general welfare as a public official. Always bold, outspoken and candid, he never knew the meaning of hypocrisy, trickery or dissimulation, and no charge of this kind was ever made against him either in public or private life.

He held to the principle that this government is an "indestructible union of indestructible States" before the Supreme Court of the United States in the case of Texas vs. White, ever, announced such a constitutional principle. Being a large slaveholder, he naturally would have been expected to side with the seceding South, and thereby protect slavery as an institution; but he was a Jacksonian Democrat when it came to the preservation of the Union, and he placed the Union above slavery, even at his own great loss, and above every other consideration. Now that the passions of the war have passed away, it is probable that there is not a sane mind in America who wishes that two Republics had been constructed in this Western World, a free Republic of the North and a slave Republic in the South. It took great courage, the most perfect patriotism, and vast unselfishness for the slaveholding Union men in the South to support the union cause. They did so, with the result which they could easily foresee of practically reducing themselves to poverty. Such an illustration of devotion to principle was never exceeded before in all the written annals of mankind.

But while he believed in an "indestructible union" he was just as strong a champion of "indestructible States," so that after the war was over, and the reconstruction of the South was undertaken by Congress in its revolutionary and unconstitutional way, Col. Heiskell's voice and influence was thrown against these measures, and a number of them were declared unconstitutional, even by the Supreme Court of the United States as then constituted. He did not live to see all of his views in regard to "in-

destructible States" vindicated by the Supreme Court, but he did live to see the Supreme Court check that tide of destruction in the alleged reconstruction of the South, which, if permitted to roll its full length along, would in great measure have wiped out State lines, and powers.

When Mayor Gaynor, of New York, died, the New York World said in effect that he "narrowly missed being a great man." Writing now, many years after my father passed across the border in the long ago, I feel that the New York World's eulogy on the Mayor of New York can be applied to that honorable, patriotic, great, incorruptible character whose name heads this chapter, Honorable William Heiskell—he narrowly missed being a great man—if he missed at all.

MRS. JULIA GAHAGAN HEISKELL.

My mother, Mrs. Julia Gahagan Heiskell, was of Scotch-Irish blood, a native of Georgia and as devoted a daughter as any State ever had. She was gently reared, well educated, a strong sympathizer with the Confederate government and a beautiful woman. Her family, the Gahagans, came to America and settled in Georgia and North Carolina, and became southern in rearing, culture, opinion and development. They were gentle people who took a refined and elevated view of life, and showed in their appearance and demeanor that somewhere up the stream of their ancestry gentle blood had flowed in, and became a part of their family inheritance. Ireland, from whence they came, never contributed to America a finer type of men and women—people to whom refinement and culture came naturally as their very own, and who showed a breeding which marked the sources from which they were sprung.

My mother exhibited characteristics not always found associated in women—beauty joined with brains, discretion and judgment. She was as strongly Confederate as her husband was Union, and they lived in Eastern Tennessee where Union sentiment predominated, and where in those chaotic times indiscreet utterances by her would have embarrassed her husband, but at no time by word or act did she pursue any but a course dictated by prudence, tact and judgment, to the great pride and joy of the man whose sentiment differed so widely from hers, and whose destiny was linked with hers for better or for worse.

The revolution wrought in the South by the abolition of



MRS. JULIA GAHAGAN HEISKELL
The Author's Mother.

slavery, and the destruction of largely all values except real estate, cast a fearful burden upon everybody, but upon no one so heavy as upon women of slave-holding families, who were not accustomed to work or want or hardships of any kind, and who had no training for the duty or destiny that was ahead of them, brought about by the new conditions. The men of the South had to set about rebuilding old commonwealths, to revive the waste places of war, and to wring prosperity from the ashes of a well-nigh universal desolation; and, in this stupendous undertaking, delicate, refined and unskilled women had perforce to join, and thus revolutionize the tenor of their whole lives. Tragedies of various kinds were abundant in the South in those days, and this condition of women was as pathetic and far-reaching as any of them.

This condition, of course, applied to my father's family along with the rest, and my mother undertook and successfully carried forward duties and responsibilities to which she was a stranger, and how well she did this—this daughter of the Gahagans—this daughter of the graces—will be a matter of endless pride to the descendants of her blood as long as any of them live.

I can look back through the mist of the years and call up the days that the house servants left after Lincoln's proclamation had made them free. Those were verily days of woe to the Heiskell household. It seemed that all the tragedies that could come to one family, had collected and fallen on us on those unhappy days. The vision is as plain as of yesterday, when one of them, the old colored nurse, who had helped rear the children of the household, charmed by the lure of the new freedom, slowly walked away with tears in her eyes, and tears on every white face she left behind.

The smallpox was raging in Knoxville among the newly freed colored people and they died by the score. The City was under military rule, and there was a military smallpox hospital for the blacks who had caught the disease. Aunt Edy, the nurse, contracted it, but my father and mother did not report the case to the authorities, but put her in a servant's house near our residence, and there had her cared for. Her food was prepared and taken to her door and there left, when she would come and open the door and get it. She recovered and later died, probably from hardship and exposure, to which she had never been accustomed. My parents tried to locate her grave, but no records were kept of dead slaves, no names, no dates, no evidence of the place of burial,

and so the grave was never found. Freed negroes all over the South changed their names in order to hide their identity, under the belief that they might sometime be taken back in slavery. It is possible but not probable, that Aunt Edy did this—the family never believed that she did. She was getting along in years at the time of her death, and if all the milk of human kindness in all other men and women were centered in one, it would not exceed that which this old slave woman had in her white heart that beat under her black skin. Her name was Edith Heiskell; she was generally known as Aunt Edy, but by the children, by some curious twist of words or sounds, was called Dare. Half a century after her death, when all America acclaims that no slave breathes beneath our flag, I want to write a memorial to her on the pages of this book, so all the world may read if it cares to, that if, as we are taught, there be a paradise somewhere, which is the reward of good lives on this earth, that this old woman is there right now, and that in the assembled multitude her black face, transformed, illumined and radiant, shines like the fairest and brightest. She has gone "To where beyond these voices there is peace."

It does no harm to go back to the days of the Old South and study its men, its women and its view points. Certainly no grander specimens of the Anglo-Saxon race ever graced this earth. They lived a free and dignified country life devoted to agriculture, and their moral and social standards were the very highest. The true historian will never reject or belittle the services, the lessons or the qualities that marked those years; he will not fail to respect the people that brought them about. Avarice, commercialism and plutocracy were unknown. Vast fortunes and dire poverty did not exist. Questionable devices to exceed the profits of legitimate ventures did not abound to lower the moral tone of a manly, clean and almost patriarchal civilization. The modern profiteer who has been a stench in the nostrils of America since the close of the world war in Europe, had not been born. If everybody did not do their full duty to God, it is certain that nobody bowed at the shrine of Mammon. The promoter, the shark, the manipulator of schemes to swindle and impoverish the unwary, had not made his appearance among a people who would not have tolerated his coming. As the Old South looked at it, the true test of a people was not in their vast fortunes, their trusts, their corporations and their financial power, but in the

development of sound character, manly sentiments and honorable conduct, and the elevation of the people—not simply a part of the people. It is true that slavery was there, and we now say that slavery was a blot on their civilization, but there is no section of the United States but has to bear its part of the responsibility for the existence of slavery on American soil. But bad as slavery was, it did not inculcate the worship of "Mammon, the largest slave-holder in the world;" it did not make the rich richer and the poor poorer; it did not create the prince and the pauper; it did not generate the plutocrat and anarchist; the Golden Calf was an unknown deity, and the touch of Midas had not yet acquired the power to debase and degrade. The possibilities for the development of grand men and grand women by the civilization of the Old South equaled those of the loftiest period of human endeavor. But that civilization is no more. It is like a vanished dream that sparkled and glowed with the splendor of romance and chivalry and honor and grace.

"The knightliest of the knightly race
That since the days of old
Have kept the lamp of chivalry
Alight in hearts of gold."

Our America future may and will develop a people of greater knowledge of wonderful things in science and invention; may search out all that is to be found in the stars above and the earth beneath and the waters under the earth; may finally master every natural law that governs animate and inanimate nature; may come to unlimited achievements and master powers that make them little lower than the angels; but, after all, this does not carry with it the moral and finer part of men and women. Man cannot lift himself by his own bootstraps. He cannot eradicate fundamental parts of his nature and place others in their stead; he cannot alter the fact that he has the same natural qualities as the man of centuries ago. But by training and ambition and one incentive and another, he can, if not entirely cast out the "Old Adam," at least make an improved and a better "Adam"; and the Old South made an improved and a better "Adam." It made honorable, knightly men and splendid women. Its manhood was as fine a flower of human nature as history ever told about, and its womanhood in its proud and glorious splendor shone with the supreme radiance of all the stars.

It was in this kind of a civilization that my mother was born and developed into maturity. Georgia gave her birth and education, and, after marriage, Tennessee gave her a home before slavery was abolished and until she died. I might say, therefore, that she inherited the aspirations and traditions of ante bellum days in two States, and they never entered a nature better adapted to receive them. All that was purest and best in the development of Georgia and Tennessee—which was as good as the earth could give—became hers, and was hers as long as she lived. The Civil War made a vast chasm between the Old South and the New, and there were men and women in the Old South who could not eradicate the development of ante bellum life. They could not change the first trend of their lives; they could not become accustomed to the new order of things; they never succeeded in getting up to date.

My mother was one of these, and, while never obtruding her views or feelings upon others, the mystic chord of memory daily reached back to the old life of the long ago, and kept her always in touch with the proud womanhood of those earlier days. The trend and thought of the post bellum South never led her to waver in her proud loyalty to those ideals by which she was always guided, and which the teachings of two States made a part of her very being. So she lived and so she died.

And so upon these pages I inscribe these feeble eulogies of William and Julia Gahagan Heiskell, who through unfading memories of their fine lives now many years ended, are two “who live again in minds made better by their presence.”



Memorial window to Mrs. Julia Gahagan Heiskell in the Chapel of St. John's Episcopal Church,
Knoxville, Tennessee.

CHAPTER 32.

Andrew Jackson from the Battle of New Orleans to
Election as President—Calhoun and Jackson
Correspondence—Organization of Jackson
Committee at Nashville—Resolu-
tions of Tennessee
Legislature.

General Jackson arrived in Nashville from New Orleans May 15, 1815, in bad health, and the supposition naturally is that he would devote much time to building up his constitution, but such was not to be the case. In October he started on horseback by way of Southwest Point, Knoxville and Lynchburg, to Washington. In Lynchburg a banquet was tendered him at which Thomas Jefferson, then seventy-two years old, was a guest. Jefferson offered a toast, which, by implication, applied to Jackson, and was highly honorable to the hero of New Orleans: "Honor and gratitude to those who have filled the measure of their country's honor." On November 17, he arrived in Washington, and then began banquets, festivities, speeches and hero-worship, which were to be his delightful portion the rest of his life. The people seemed to spontaneously agree that the victory at New Orleans had made him the national American hero. In Washington it was agreed at a conference between the President, General Jacob Brown and General Jackson, that the army should be reduced to ten thousand men, and that General Brown should command the northern division, and General Jackson the southern, and, hence, Jackson was to retain his position in the army.

He did not start home until 1816, and from there went to New Orleans, where he was received in enthusiastic, grand fashion, and he got back to the Hermitage the following October.

Down to this time the Caucus had governed the nominations for President, and it was to govern the nomination of the successor of President Madison whose term expired on March 4th, 1817, but this nomination was the beginning of the end of the reign of the Caucus. While not very loud at first, nor very wide-

spread, nor very unanimous, suggestions were made at one time and another, and in one place and another, and the thought was in the minds of men who probably did not express it, that the victor of New Orleans was good presidential timber, and that it would not be a bad idea to land him in the White House.

Just what Jackson thought of his being President, even as late as 1821, is very strikingly disclosed in a letter of Judge Brackenridge, Jackson's secretary in Florida, quoted by James Parton in the second volume of his *Life of Jackson*, where Brackenridge uses this language:

"I shall never forget the evening in Pensacola, 1821, when, in the presence of Mr. Henry Wilson and some other gentlemen, he took up a New York newspaper in which he was mentioned as a probable candidate for the office of President of the United States. After reading it, he threw it down in anger: 'Do you think,' he said, 'that I am such a d—d fool as to think myself fit for President of the United States? No sir, I know what I am fit for. I can command a body of men in a rough way; but I am not fit for President.' "

New work was being prepared in Florida by the Seminoles, fugitive Creeks, free negroes, and escaped slaves, and General Jackson was to enter upon one of the most vexatious portions of his life. Florida was in his division as Major General of the army, and it was his duty to conduct all military operations in that section; he undertook to suppress all disorder, outrages and uprisings in Florida, and in doing so approved the execution of Alexander Arbuthnot and Robert C. Ambrister. It is not necessary to go into details connected with the Arbuthnot and Ambrister cases, but merely to state that he appointed a court of fourteen officers of which Major General E. P. Gaines of Tennessee was President; Arbuthnot was tried April 28, 1818, on the charges of inciting the Creek Indians to war against the United States, acting as a spy for the British government, and inciting the Indians to murder. The Court found the prisoner guilty and sentenced him to be hung, and this sentence was affirmed by General Jackson. Ambrister was next tried, found guilty, and sentenced by the Court to be shot; and on April 29, 1818, the Commanding General approved the sentences in both cases, and they were carried out. Promptly this action by General Jackson became a political issue, and the storm arose promptly and furiously, and never until the day of his death did the charge cease

that the two men had been illegally executed by order of General Jackson. On January 12, 1819, one of the greatest debates ever held in the House of Representatives of Congress was carried on for twenty-seven days in Committee of the Whole, in discussion of Jackson's action. Resolutions were offered condemning the execution of Arbuthnot and Ambrister, and some great speeches were made, but Jackson triumphed, and by a substantial majority. Four resolutions were before the Committee as follows:

Resolution to disapprove the execution of Arbuthnot and Ambrister: ayes, 54; noes, 90.

Resolution for a law prohibiting the execution of captives by a commanding general: ayes, 57; noes, 98.

Resolution that the seizure of Pensacola was contrary to the Constitution: ayes, 65; noes, 91.

Resolution that a law be passed forbidding the invasion of foreign territory without authority from Congress: ayes, 42; noes, 112.

In the Senate these same matters were referred to a Committee of which Senator Lacock of Pennsylvania was Chairman, and this Committee made an extended investigation and reported on February 24, 1819, adversely to Jackson. The session expired nine days later and the report was never considered by the Senate.

General Jackson prepared a document called his "Memorial," defending himself against the adverse report of Senator Lacock's Committee, and going into details in reference to himself and his connection with Florida affairs. But further action was not to be taken, for on February 22, 1819, the treaty was signed by which Spain conveyed Florida to the United States.

President Monroe through John C. Calhoun, Secretary of War, tendered by the following correspondence the appointment to Jackson, in conjunction with General Thomas Hinds, to make a treaty with the Choctaw Indians.

JOHN C. CALHOUN TO ANDREW JACKSON.

"Department of War, May 25, 1820.

"Sir:

"During the late session of Congress, an appropriation of \$20,000 was made to defray the expenses of holding a treaty for the extinguishment of Indian title to lands within the State of Mississippi; and the delegation in Congress from that State have proposed that you and General Thomas Hinds of Mississippi be appointed the commissioners to hold the treaty.

"The President is very desirous to employ you upon this duty, and it will afford him great satisfaction if it should be agreeable to you to accept of the appointment. I take pleasure in communicating his wishes upon the subject and request the favor of an early answer.

"If it should suit you to accept the appointment, commission will be immediately forwarded to you as the first named commissioner, vesting you, in conjunction with General Hinds, with full powers to exercise your own judgment and discretion as to the time, place, and manner of commencing and conducting the negotiation, (of which he will be duly notified); and the Choctaw agent will be instructed to prepare the chiefs to give you a friendly reception.

"It is contemplated to place the whole appropriation at your disposal, which, is intended to cover all the expenses of the negotiation, including the pay of the commissioners and of the secretary, (whom, should you agree to serve, you will be authorized to appoint), except the sums that may be stipulated to be paid to the Indians in the treaty which shall be concluded with them.

"I have the honor to be, &c.,

"J. C. CALHOUN.

"General A. Jackson, Nashville."

ANDREW JACKSON TO JOHN C. CALHOUN.

"Headquarters, Division of the South,

"Nashville, June 19, 1820.

"Sir:

"On last evening I reached this place, where I received your letter of the 24th of May last, and one from the delegation of the State of Mississippi of the 16th of May, requesting that I should accept the appointment of commissioner to aid in holding a treaty with the Choctaw Indians. I had determined never to have anything to do again in Indian treaties; but, finding 'that the President of the United States is desirous that I should engage in this duty,' this, added to the solicitations of the delegation of that State, has determined me to depart from the resolution that I had formed, and to accept of the appointment. I never can withhold my services when required by Mr. Monroe; and I owe a debt of gratitude to the people of Mississippi and their late Governor for their support in our late struggle with Great Britain; by him and them I was well supported. I feel it a duty, therefore, to endeavor to serve them, when they, by their representations, believe I have it in my power. There is no man I would rather be associated with than General Hinds, nor none in whom I have more confidence.

"In making out the instructions, permit me to suggest the propriety of pointing out the bounds west of the Mississippi, out of which the land to be given to the Choctaws, in exchange

for their land whereon they now live, is to be laid out. The wish of the real Indian chiefs is (as I am advised) to perpetuate the existence of their nation, by concentrating the whole in a country that will support them as a nation. At present, they are scattered and wandering over a great space of country, and, if not shortly united, will be lost to their nation in other tribes. The pride of a real Indian is in the strength of his nation; and this is a chord I mean to touch, to obtain the object in view. I therefore wish to have it in my power to point to the land, and describe its bounds where their father, the President of the United States, means to settle his red children, concentrate and perpetuate them as a nation, and thereby make his children happy.

"I am, sir, with great respect, your most obedient servant,
"ANDREW JACKSON.

"To the Hon. J. C. Calhoun, Secretary of War."

Just before the end of that session of Congress on March 4, an act was passed providing a government for Florida and vesting all military, civil and judicial power in such person or persons as the President of the United States might appoint, and to be exercised in such manner as the President might direct.

President Monroe appointed Jackson Governor of Florida, pursuant to this act, at a salary of five thousand dollars per annum, and at the same time appointed two judges, two district attorneys, two secretaries, three collectors, and a marshal. General Jackson set out for Florida by way of New Orleans and finally, after vexatious delay, arrived there on July 17, 1821. Florida was formally transferred to the United States by the Spanish Governor, the Spanish flag was lowered, the American flag was raised in its place, and Andrew Jackson once again held a civil office, and entered upon his duties as Governor of the newly acquired Territory of Florida. It is hardly necessary to say that General Jackson never regarded himself as a success in civil office, and he resigned practically every one he ever held before the expiration of the term. He was disappointed as Governor because the President had appointed so many officers who were to serve under him, and he had no opportunity to reward by official appointment some of his old, true, and lifelong friends; and so it came about, as was to have been expected, that he resigned as Governor in October 1821, and was back at the Hermitage on the 3d of November.

SWORD PRESENTATION.

On the fourth of July, 1822, Governor Carroll delivered to General Jackson a sword, in testimony of the State's approbation of his conduct, with the following address:

MAJOR GENERAL ANDREW JACKSON.

"By a resolution of the General Assembly of this State, at its session of 1819, the governor was directed to "procure and deliver to you a sword, with suitable engravings thereon, as a testimonial of the high respect entertained by the State of Tennessee for your public services.

"In obedience to that resolution, this sword has been procured, and I am happy to have the opportunity of presenting it to you on a day which must excite in your breast so many pleasing recollections. You gave your youthful exertions to the establishment of that independence, whose declaration we now celebrate. To its perpetuation you contributed in riper years, by those splendid achievements during the late war, which have 'filled the measure of your country's glory.'

"Accept, sir, this evidence of the gratitude of Tennessee. With it I tender you my best wishes for the duration of your health and happiness. In these wishes I know I am cordially joined by our fellow citizens of the State."

To which the General replied:

"When I look around me, and behold many of those patriot-soldiers, descendants of the immortal heroes who achieved that national independence we this day celebrate, and who, when the tocsin of alarm and war was sounded in 1812, voluntarily repaired to the tented field, in defence of their country, with the determination either to preserve, inviolate, those inestimable rights, or perish in the attempt, I am inspired with feelings more easily to be imagined than expressed.

"It was on the military prowess of these brave and patriotic men, and their associates in arms, that the safety and defence of the country, as well as my military fame, rested; and they most nobly supported both. As a testimonial, then, of the approbation of my fellow citizens of Tennessee, for my public services, and the services of those gallant and meritorious officers and men who so effectually seconded my exertions in the defence of our frontier borders throughout the late British and Indian wars, I receive, with pleasure and gratitude this sword, which has been prepared agreeably to the resolution of the legislature of this State, and presented by your excellency.

"It is these brave officers and men, associated with me in those trying scenes, and who so well supported the reputation of their revolutionary fathers, that most deserve their country's approbation and warmest gratitude; it is their heroic exploits,

as well as my public services, the resolution of the legislature intends to approve; and, as such, I receive, with additional feelings of the sincerest pleasure, that testimonial, so freely bestowed on both them and me, by my fellow citizens.

"That I, the humble instrument in the hand of Divine Providence, should have been the means of deliverance of our frontier borders from savage cruelty, and New Orleans, the emporium of the west, from the ravages and pollution of a British army, is one of the greatest blessings heaven can bestow; and that I should have been able, through all these difficulties and trying scenes, so to conduct myself as to deserve and obtain the approbation of my fellow citizens of Tennessee, as expressed by the resolution of their legislature, will be to me one of the most pleasing recollections of my future existence.

"When I review the disinterested patriotism displayed by the voluntary tender of the military services of the brave Tennesseans, during the whole British and Indian war, it excites in me mingled feelings of pleasure and pride. Their proffered services contained no constitutional scruples; were confined by no territorial limits; the order of their government for dismissal was the only limit to their services. This holy zeal, with which the bosoms of the brave volunteers was fired, ought to be fostered and cherished, not damped, by the government; it is this zeal alone that can defend and preserve the liberties of our country, and perpetuate the existence of our happy form of government.

"I thank, you, sir, most sincerely, for the good wishes you offer for my health and happiness. I cannot conclude without first invoking a similar blessing in your behalf; and, that the prosperity of the State of Tennessee, over which you preside, may be commensurate with the courage and patriotism of its citizens, is, and ever will be, the first wish of my heart."

This sword was willed by Gen. Jackson to Major A. J. Donelson and is now in the possession of Major Donelson's daughter-in-law, Mrs. Bettie M. Donelson of Nashville, Regent of the Ladies' Hermitage Association of Tennessee.

JACKSON DECLINES MEXICAN MISSION.

The following extract of a letter from General Andrew Jackson to a gentleman of Mississippi, dated March 23, 1823, explaining the reason why he declined accepting the mission to Mexico, to which he was appointed by the President in 1822, was published by the Mobile Commercial Register shortly after the letter was written:

"Not having been consulted on the subject of the appointment, nor having heard anything of the intention of the president to make it until after the nomination was submitted to the senate, entitled me to exercise my own judgment on the propriety of the

measure; and, on mature reflection, have come to the following conclusion: That, in the present revolutionary state of Mexico, the appearance of an American minister at that court, with credentials to the tyrant Iturbide, would carry with it, to the people of that country, the appearance that the U. States approved his course; would thereby strengthen the tyrant and enable him the more firmly to rivet the chains of despotism on the Mexican people, who of right ought to be free. The future peace and security of the United States materially depends upon the Mexicans establishing a government upon the representative system. These views induced me to decline the acceptance, determined never to permit pecuniary or other considerations to entice me into a measure where the cause of suffering humanity could not be relieved; and where there was no prospect of my rendering any service to my country."

After Jackson's return from Florida his friends began serious agitation of his candidacy for President as the successor of Monroe, and he was brought before the people by some of the ablest and most adroit politicians of that day, among them Major William B. Lewis, who was Jackson's friend and neighbor, and who did as much if not more to make him President, than any other man in America. On July 20, 1822, the Tennessee Legislature nominated him for President.

The following correspondence took place on the dates stated in reference to the pending race for the United States Senate:

ABRAM MAURY TO ANDREW JACKSON.

"Murfreesborough, Sept. 20, 1823.

"Dear General:

"I am particularly requested, by my friends of yours, to inquire if you are willing to serve in the senate of the United States. The general wish here is that you may assent to what your friends earnestly desire, and enter upon a service, which, though at war with your individual interest, is yet one which it is hoped you will not decline. Indeed, looking to the declaration made by you, to the committee of the State of Pennsylvania, 'that office should be neither sought for nor declined,' a strong disposition was entertained to venture your name for the proposed appointment, without inquiring of you aught about it; but considering that you are at convenient distance, I have thought proper, at the desire of several of the members, to propose it in confidence to you. It is probable that the three gentlemen who are at present before the legislature for the appointment, will decline; if this, however, should not be the case, even then, although some of the members have been pledged, and although the sectional division of East Tennessee rights may somewhat operate,

still I feel authorized to say, and entertain no doubt of the fact, that you will be supported by a large majority of the legislature. All we want is a belief that you will permit your name to be used.

"I am, with very great respect, your most obedient,
"ABRAM MAURY.

"Gen. Andrew Jackson."

JACKSON'S ANSWER.

"Hermitage, 21st Sept. 1823.

"Dear Sir:—Your letter of yesterday has reached me, stating it to be the desire of many members of the legislature that my name be proposed for the appointment of senator to Congress. It is very true, as you remark, that I have not only said, but have, I believe, through life, acted upon the principle that office, in a republican government like ours, should not be solicited, nor yet, when conferred, declined, still I would suggest to my friends, whether they ought not to excuse me from accepting the appointment they have proposed. There are many better qualified to meet the fatigues of the journey than myself, and on whose services a reliance for a time to come, with a prospect of becoming better as they advance, might be safely reposed; whereas, from health impaired and advancing age, neither the one nor the other could be calculated on from me; and, besides, it might be thought, nay, would be said, that my State had conferred it upon me, and that it had been sought for too by me, with a view to other objects, and for other purposes, which are, at present, pending before the nation. I have, therefore, earnestly to request my friends, and beg of you, not to press me to an acceptance of the appointment. If appointed, I could not decline; and yet, in accepting, I should do great violence to my wishes, and to my feelings. The length of time I have passed in public service authorizes me to make this request, which with my friends, I trust, will be considered reasonable and proper.

"With great regard, I am, very respectfully, yours,
"ANDREW JACKSON.

"Major Abram Maury,

"Member of the House of Representatives."

It is impossible to believe that Jackson did not mean just what he said in this letter. He was sincere in asking his friends "not to press me (him) to an acceptance of the appointment." But his friends saw that he was the only man who could beat Williams for the Senate, and they pressed him for an acceptance and he accepted. It was a genuine instance where the office sought the man, and in October, 1823, the Legislature elected him Senator.

JACKSON TO THE DAUPHIN COUNTY COMMITTEE.

The Harrisburg (Pa.) Commonwealth of March, 1823, said: "We feel much satisfaction in laying before our readers the following letter from the 'hero of New Orleans,' in answer to one addressed to him by the committee appointed to draft an address to the people of the Union, on the subject of the next presidential election, appointed at a meeting of the citizens of this, Dauphin County, held on the 21st of January last:

"Nashville, February 23, 1823.

"Gentlemen:—Your letter of the 3d inst., with the Harrisburg paper entitled the 'Commonwealth,' containing the address you have alluded to, has been this day received. The complimentary manner in which my fellow citizens of Pennsylvania have been pleased to notice my military services, and their voluntary expressions of respect and confidence in me, has excited, on my part, a proper sense of gratitude. As a committee, appointed to draft an address to the people of the United States, on the subject of the next presidential election, you ask to be informed 'whether I can, or do approve of my name being used at this time as a candidate for the presidency of the United States.'

"I should have consulted my own feelings by continuing to avoid speaking on the subject, but the respectable source from whence the inquiry emanates, prohibits any but a candid notice of your communication.

"My undeviating rule of conduct through life, and which I have and ever shall deem as congenial with the true republican principles of our government, has been neither to seek or decline public invitations to office. For the services which I may have rendered, and which have, it is hoped, proved in a degree beneficial to my country, I have nothing to ask. They are richly repaid with the confidence and good opinion of the virtuous and well deserving part of the community. I have only essayed to discharge a debt which every man owes his country when her rights are invaded; and if twelve years' exposure to fatigue and numerous privations can warrant the assertion, I may venture to assert that my portion of public service has been performed; and that, with this impression, I have retired from the busy scenes of public life, with a desire to be a spectator merely of passing events.

"The office of chief magistrate of the union is one of great responsibility. As it should not be sought by any individual of the republic, so it cannot, with propriety, be declined, when offered by those who have the power of selection. It is interesting to the American people alone, and in the election, they should exercise their free and unbiased judgment. It was with these impressions, I presume, and without any consultation

with me, that the members of the legislature of the state of Tennessee, as an additional testimony of their confidence in me, thought proper to present my name to the American community. My political creed prompts me to leave the affair uninfluenced by any expression on my part, and to the free will of those who have alone the right to decide.

"Your obedient, &c.,

"ANDREW JACKSON.

"The committee of Dauphin County."

On March 4, 1824, he was nominated for President by a Pennsylvania State Convention, and at the November election, 1824, received a majority of the electoral vote.

BLOUNT COUNTY DECLARES FOR JACKSON.

On June 21, 1823, a meeting of the people of Blount County, Tennessee, was held at the court house in Maryville, by which the following resolutions were adopted:

"1st. Resolved, That our fellow-citizen, General Jackson, has merited confidence by his long, well-tried character, and eminent services which he has bestowed, favoring the best interest of the United States, from the beginning of the revolutionary war to the present. To enumerate them now would be only repeating what is so well known and established.

"2d. Resolved, That the troubled state of the world makes it necessary for the United States to select some known citizen, who combines supereminent military skill, great political experience, first rate firmness, and inflexible integrity, as president, in all of which we believe he is not surpassed by any citizen of the United States. And, whereas, we have heard that it is stated in the neighboring States that the citizens of Tennessee will not be unanimous in his support, that statement, so far as regards us, and as our information and knowledge extend, is incorrect.

"3d. Resolved, That we will not support any man for governor of this State, or for the general assembly in either branch thereof, or for Congress, at the approaching election, who will hesitate to give him, directly and indirectly, their support, in any measure that may come before the legislature of this State, or Congress, touching that subject."

It was in this Presidential race the Caucus received its death wound; there were six candidates for President. William H. Crawford of Georgia, and Albert Gallatin of Pennsylvania, were nominated by the Caucus respectively for President and Vice-President. When the election came on Crawford received the electoral votes of Georgia, Virginia, five votes from New York,

one from Maryland, and two from Delaware, a total of forty-one; Henry Clay received the electoral vote of Kentucky, fourteen, Missouri three, Ohio sixteen, New York four, a total of thirty-seven. John Quincy Adams received the electoral vote of Maine nine, New Hampshire eight, Vermont seven, Massachusetts fifteen, Connecticut eight, Rhode Island four, New York twenty-six, Delaware 1, Maryland 3, Indiana 2, Illinois 1, a total of eighty-four. Andrew Jackson received the electoral vote of New York one, New Jersey eight, Pennsylvania twenty-eight Maryland seven, North Carolina fifteen, South Carolina eleven, Tennessee eleven, Louisiana three, Mississippi three, Alabama five, Indiana five, Illinois two, a total of ninety-nine; so Jackson received the highest electoral vote and also the highest popular vote. The election was thrown into the House of Representatives where the vote is taken by States, and in this forum Henry Clay's influence was thrown to John Quincy Adams, thereby electing him, and giving rise to the charge of "bargain, intrigue and corruption" by Jackson. In the House of Representatives the vote stood for Adams thirteen States, Crawford four States and Jackson seven States, which elected Adams. Mr. Adams appointed Henry Clay, Secretary of State, and this was the basis of the charge of bargain, intrigue and corruption between Adams and Clay.

A few days after the inauguration of John Quincy Adams, and the appointment and confirmation of his cabinet, General Jackson and his family started for the Hermitage, and in October 1825, Jackson resigned from the Senate, and in the same month of the same year, the Legislature of Tennessee again nominated him for President in the election of November 1828. Hugh Lawson White was elected to serve his unexpired term as Senator by the Legislature. Between that time and the Presidential election of 1828 General Jackson was a private citizen—that is, as private as one of his wide fame could be. The movement of the Legislature to make him President at the next election began to spread, and attained momentum and force that finally became irresistible and swept everything before it. In that election the respective tickets were Jackson and Calhoun against Adams and Rush, and personalities constituted the chief weapon of the contest, not sparing even Mrs. Jackson herself.

The National Banner and Nashville Whig of March 21, 1827, gives the following account of a meeting in Nashville to appoint

a committee in the interest of Jackson in the coming presidential election.

MEETING IN NASHVILLE.

"Agreeably to previous notice, the citizens of Nashville and its vicinity assembled at the court house in this town on Saturday last, 'for the purpose of taking into consideration the propriety of appointing a committee to correspond with the Jackson committees in several States upon the subject of the next Presidential election.' The weather was unfavorable, but a considerable number of persons attended.

"Col. Edward Ward was appointed chairman, and Nelson Patterson, Esq., secretary.

"After a few appropriate introductory remarks by the chairman, and an animated and eloquent address by William L. Brown, Esq., the following preamble and resolution offered by the latter gentleman, were adopted, *nem. com.* and the blank was then filled with the names mentioned therein.

"This meeting believes the present to be a conjuncture, when every honest and just exertion should be employed to promote the election of that great and honest man, Andrew Jackson, to the Presidency of the United States, and that to make those exertions most efficient, a committee should be organized, whose duty it will be to frame and publish an address to the people of the United States, such as may be best adapted to effectuate the great object in view; and whose further duty it will be, as occasion may require, and so far as within their power, to detect and arrest falsehood and calumny by the publication of truth, and by furnishing either to the public, or to individuals, whether alone or associated, full and correct information upon any matter or subject within their knowledge or power, properly connected with the fitness or qualifications of Andrew Jackson to fill the office of President of the United States.

"Resolved, Therefore, that John Overton, Robert C. Foster, George W. Cantrell, William L. Brown, John Catron, Robert Shyte, Thomas Claiborne, Joseph Philips, Daniel Graham, William B. Lewis, Jesse Wharton, Edward Ward, Alfred Balch, Felix Robertson, John Shelby, Josiah Nichol, William White and John McNairy be selected to compose the committee."

In the supplement to the National Banner published at Nashville, Tenn., November 9, 1827, there were "Resolutions and Accompanying Argument Offered by Mr. Brown, of the State Senate, in Favor of Amending the United States' Constitution, Arraigning the Conduct of the President and Secretary of State, Condemning the Measures of the Present Administration and Recommending for the Presidency General Andrew Jackson, with a Portion of the Discussion Thereon; together with the Resolution Offered by Mr. Rogers, of the House of Representatives, in Favor of an Impeachment of the President, with a Por-

tion of the Debate thereon." The Resolutions passed both houses of the Legislature.

RESOLUTIONS.

"Resolved, by the General Assembly of the State of Tennessee, That the constitution of the United States should be so amended as to give the election of the President and Vice President directly and conclusively to the people, preserving the present relative weight of the several States in the election.

"Resolved, That many of the measures of the present administration of the general government are injurious to the interests and dangerous to the liberties of the country.

"Resolved, That the surest remedy for these evils, now in the power of the people, is the election of Andrew Jackson to the chief magistracy of the union."

The argument is too long to be given in full, but the concluding part, including the reference to Mr. Jackson, is set out:

"In regard to the third resolution, it will be sufficient to say that the acknowledged popularity, the established fame, and well-tried patriotism of ANDREW JACKSON, designate him as the candidate most capable of, and most deserving a successful competition with Mr. Adams. Here he has been known from the dawn of manhood, through the vicissitudes of life and fortune, in peace and in war, and we speak the sentiments of our constituents, as well as our own, when we declare that the fire of youth never impelled him beyond the bounds of honor, and that the coldness of age has not made him deaf to the voice of patriotism. As a man, he has always enjoyed our peculiar esteem, and as a public agent, our highest confidence. The force and fitness of his intellect, we have never found inferior to the grandeur of his character, or the lustre of his fame; conspicuous for the charities of private life, and alone doubtful of his public abilities, he has seldom left its sacred retreats without earning renown for himself and glory for his country. But the retreats of private life are no longer sacred. This beloved citizen, this genuine republican, venerable for his age, illustrious for his services and still more illustrious for his inflexible patriotism, has seen, not only his conduct distorted by slander, and his glory tarnished by calumny, but the partner of his bosom traduced and exposed for the sport of the idle, and the malice of the infamous. That couch which has been so often forsaken, that others might sleep in safety and peace; that breast that has so often braved danger, that others might not even feel its alarms; which felt a stain on the honor of the country like a stab into its own vitals, has been invaded and cruelly outraged. That some of the members of the present administration of the federal government are accountable for the slander and persecution of Gen. Jackson and his wife, is reluctantly, though solemnly asserted. No moral

distinction can be drawn between the act of hiring a man to commit a crime, and that of rewarding him after he has committed it; and it is notorious that the prostituted miscreants, who invent and circulate these slanders, are the continued objects of ministerial favor, patronage and pay, hired with the money of the very people whose willing gratitude and just admiration are the real causes of this defamation and rancor. This foul injustice not only aggravates the demerit of its procurers, but should endear to his country the hero who sustains it. As citizens of Tennessee, we feel it our especial duty to denounce it; and to proclaim our proud, our fervent, and our increased attachment to the candidate and the cause of the people.

"Resolved, That the Governor cause to be furnished to each of the Senators and Representatives in Congress, a copy of the foregoing resolutions, and of the remarks accompanying the same."

FRANKFORT DINNER.

The following letter of invitation was addressed by a committee in behalf of the citizens of Frankfort to General Jackson:

"Frankfort, Ky., August 27, 1827.

"Sir—On behalf of a large portion of the citizens of Franklin and Anderson Counties, the undersigned have the pleasure to invite you to partake with them of a public dinner, given by your friends near this place on the 10th of September next, the anniversary of Perry's victory on Lake Erie, in celebration of the recent triumph of correct principles in Kentucky.

"We are happy on this occasion to express to you on behalf of ourselves and those for whom we act, the high regard we entertain for your public and private character, for the splendid services you have rendered our common country, for that spotless integrity which repelled the first advances of intrigue and management in the late presidential election, and for the immovable composure with which you behold the shafts of calumny hurled as well by public as private men, rattling upon the impenetrable shield of honesty and honor, by which you are protected.

"In vain have your enemies ransacked the annals of a long and eventful life, the morning and meridian of which were spent in a country where society was in its elements; in vain have they charged you with every species of irregularity and vice; in vain have they attempted to strip from your brow the laurels of victory won amid privation, danger, toil and suffering, in overcoming mountains of difficulty, achieving conquest where your country expected defeat, and closing a war of checkered fortune with an undarkened blaze of glory; in vain have they become the apologists of insubordination, mutiny and public robbery, affecting to pity deserters and criminals who justly atoned for their crimes with their lives, and even resorting to forgery in aid

of falsehood to stamp your character with cruelty and stain, your trophies with innocent and fraternal blood; in vain have they endeavored by distorting facts and garbling documents, to convince Kentucky that you are jealous of her honor and anxious to disgrace her; in vain have hypocrites affected not to understand your views on points of national policy, although they stand recorded in language not to be mistaken upon the journals of our government; in vain have the fiends of party even entered your bed chamber and assailed your wife of your bosom, as if there was nothing public nor private, no fame, no character, no comfort, no consolation, of which you are not to be deprived, because you have committed the crime of serving your country and dearly purchasing the love and gratitude of a free people.

"All these things have but increased our zeal and resolution to spare no honorable means to place you in the seat of Washington, and honor you as our second political father. We would punish these vile slanders by proving their impotency, when addressed to an intelligent and virtuous people. We view your character as identified with that of our country, and to shield it from stain is as much the duty of patriotism as it is of justice and affection. By the forgeries and falsehoods of your enemies, involving you and our country in equal dishonor, the lukewarm have been made zealous, and the timid bold. Kentucky will be just. Her prodigal son is not yet humble. He lately returned, not to beg a place among her servants, but to master her and to bend her to his wayward will. In the result of her elections she has sent after him her keen rebuke, and by your elevation to the presidency, does she hope to bring him back to that due sense of obedience from which he has so widely strayed.

"Be assured, Sir, that in the cause in which you are engaged we shall not be deterred from doing justice to you and our country by the allurements of interest, the violence of faction, nor the prescriptions of power. Kentucky will preserve her onward course until her honor is redeemed, her principles victorious and her country safe.

"With sentiments of the highest respect, your friends and fellow citizens.

"M. Clark, N. Richardson, G. E. Russell, J. Dudley, E. Richmond, A. Crockett, C. Lillard, J. C. Richardson, F. P. Blair, W. W. Walt, R. Jackson, J. Palsgrove, W. Chandler, C. Hardwicke, W. K. Price, W. R. Crockett, John Smith, William French, A. Chambers, Amos Kendall,

Committee."

To which the General replied:

"Hermitage, near Nashville, September 4, 1827.

"Gentlemen: Your polite note of invitation, 'in behalf of a large portion of the citizens of Franklin and Anderson Counties,'

to partake of a public dinner to be given near Frankfort on the 10th of September, was received yesterday.

"The event which your celebration designs to commemorate is worthy the recollection of a people who so largely have participated in the hardships and dangers of that war, of which this is a striking and illustrious incident; and I beg leave to assure you that nothing but the limited time between this and the day of your meeting prevents me from uniting, as most cheerfully I should do, in the festivities which your celebration proposes. Business of importance requires my attention at home; which, from the limited notice accorded, cannot be disposed of, or dispensed with, to enable me to accept the invitation, and arrive at your capital in time. I regret it; but as it is a matter now beyond my control, I beg of my fellow citizens of Kentucky to receive it as my apology and excuse for being unable to avail myself of the friendly invitation they have presented.

"The friendly notice you have been pleased to take of my public and private character merits my sincere thanks. I beg you to accept them. It is true, that reproach and calumny have opened freely their streams against me. Everything dear to one at my time of life, who of necessity must repose for character and good name more on the past than the future, and who must look rather to what has been, than what may be, has indeed been violently assailed. Placid before the people, I was not weak enough to presume that the volume of my life would not be opened and ransacked, and every public incident seized upon that by possibility might be used to my disadvantage; yet I did hope that the liberal and generous feeling on the part of my countrymen would spare me at least those assaults which slander and falsehood might delight to inflict. In that I have been disappointed. Yet have I found a redeeming security in this; that truth was mighty, and although for a time her principles might be obscured, in the end her triumph would be but the more complete.

"To each of you, individually, I beg leave to tender my sincere regard, and request you to present it to the citizens whom you represent.

"Very respectfully,

"Your most obedient servant,

"Andrew Jackson.

"(To the Committee.)"

"The General with his compliments to the committee offers the following sentiment:

"KENTUCKY: Steadfast in principle, and valiant in war.

"The Editor of the Nashville Republican is requested to procure a copy of the letter of invitation and publish it with the reply."

It was in this election that the statement published in another chapter of this book was made public by Judge John Overton in reference to the marriage of General and Mrs. Jackson; but with all the denunciation, abuse and villification that was hurled at him, Jackson received 178 electoral votes, and Adams 83; for Vice President Calhoun received 171 votes out of 261; in Tennessee Jackson and Calhoun received every vote cast except something less than three thousand.

The hero of New Orleans was now at the loftiest summit of the ambition of an American citizen, and had attained a position which enabled him to make his wife Mistress of the White House, a place aspired to by every American woman.

Of course Mrs. Jackson knew that her marriage to the General was an issue in the election, and that she had been denounced by the opposition newspapers all over the Union, and who can blame the poor woman for expressing the opinion which she gave:

"Well, for Mr. Jackson's sake, I am glad; for my own part I never wished it."

Of course, the people of Nashville determined to have a grand banquet and celebration in honor of the unparalleled triumph of Tennessee's great hero, and General Jackson accepted the invitation to be present. On December 17th Mrs. Jackson had an attack of illness, but on the 22d she was improved and the General thought he could attend the banquet in Nashville the next day, but that night, when it was thought that her improvement was real, and that the General could take a little rest, and hope began to revive in the household, she uttered a loud cry and all at once thought that the end had come, and so it proved. The woman who had been the issue in an American Presidential campaign, and for thirty-seven years had been the faithful, devoted wife of a great man, whom the voters had just decreed should be their Chief Executive for four years, gave up the ghost, and was dead. The Hermitage in the twinkling of an eye was changed into a house of mourning, and the great banquet arranged for the next day in Nashville was never held.

General Jackson left the Hermitage for his inauguration January 17, 1829, and was accompanied by Andrew Jackson Donelson, his nephew, who was to be his Private Secretary; by Mrs. Andrew Jackson Donelson, who was to preside at the White

House; by Henry Lee who had helped in the campaign, and who expected an appointment; and by Major Lewis, his friend.

They left Nashville Sunday afternoon by steamboat to go down the Cumberland and up the Ohio River to Pittsburg, and thence to Washington. On March 4th, General Jackson took the oath of office, administered by the Chief Justice of the Supreme Court of the United States; drove thence to the White House to begin the duties of Chief Executive, which were to continue until March 4, 1837.

CHAPTER 33.

Andrew Jackson—Correspondence with Gen. R. G.
Dunlap of Knoxville on the Removal of
William B. Lewis and
John H. Eaton.

The letters that passed between General R. G. Dunlap, practicing lawyer of Knoxville, Tennessee, and Andrew Jackson, President of the United States, constitute a unique and interesting and historically important correspondence which will repay careful reading. It illuminates Jackson's character, especially the feature of his great loyalty to his friends, and his obscure vision of their faults and shortcomings.

General Dunlap was a native of Knox County, Tennessee, and served under Jackson in the Seminole War, and was recognized as a Jackson man. His effort in his letters to get "Old Hickory" to throw overboard his two tried friends, Major W. B. Lewis and Major John H. Eaton, failed as might have been expected. His letters show strong personal prejudice against Lewis and Eaton. While Jackson's replies are courteous, it is not hard to conclude that he saw Dunlap's prejudice, for he called on him to give some incident of wrong-doing by Lewis and Eaton to justify his advice that Jackson get rid of both. No successful political leader ever lived who did not have friends who were jealous of and antagonistic to each other—each recommending that the leader get rid of the other for the leader's welfare—to which personal differences no wise leader pays any attention.

Jackson utterly repudiated all of Dunlap's suggestions, but gave full and candid replies to them. One concludes that he valued Dunlap's friendship, for, while his replies are strong, unyielding and well argued from his standpoint, they do not exhibit that fiery intolerance of Dunlap's advice which one would expect, especially when Lewis and Eaton had been so superlatively and successfully useful to Jackson's political fortunes. The good temper and the patient detailed rejection of Dunlap's advice, exhibit Jackson at his best, both in argument and in

diplomacy. The discussion ranged away from Dunlap's antagonism to Lewis and Eaton and took in many of the political issues of Jackson's administration, and throws light upon the issues as Jackson viewed them.

R. G. DUNLAP TO JACKSON.

"Lea Springs, Tennessee, June 30th, 1831.

"Dear Sir: This week affords me leisure from our courts and our elections to visit these valuable springs. My health is feeble and has been for this season.

"This gives me a favorable opportunity to give you some plain hints.

"Seated at the head of power, but few will say anything to you calculated to have any other effect but to please your pride or feed your vanity. All men have both.

"My motive for first and last wishing you at the head of our great and happy nation, was that I believed you to be the best instrument to correct the growing evils and to bring back to first principles the wandering action of the Federal government. As this is and was my motive, I feel a deep solicitude in preserving unimpaired the whole usefulness of your public station, which is the most honorable and responsible within the range of human power.

"Mr. Eaton leaves the War Dept. by the common consent and wish of all parties. While the nation may admire the firm friendship by you manifested for Mr. Eaton, they cannot but rejoice at the hope of his retirement. Mr. W. B. Lewis, almost too small to write about, occupies a position before the nation alone from his presumed and assumed intimacy with you, which merits a little attention. Send him home, and no longer hold yourself accountable to a free and enlightened people for his arrogant follies of such a small but busy man as he is.

His only importance is that by his hinting impudence, when out of your presence, of being in the President's confidence, he assumes the mask of an adviser. This holds you responsible for his silly conduct.

"To speak plain, the opinion prevails at large that W. B. Lewis is one of your most confidential concillors. This fact does, whether it be true or false, seriously affect the public, it raises a suspicion of your fitness to rule; it paralyzes every noble feeling of your friends, when it is said Billy Lewis is your President's councillor. As I have as little to ask as any other of your friends, I write this letter, which I know speaks the voice of Tennessee, as well as of every fragment of any party in this union. Your connection with Messrs. E and L have injured you more in public opinion, than all the acts of your friends and enemies combined.

The nation looked not to these feeble ministers for aid in directing the glorious destiny of the American people, when by the noblest feelings of patriotism they rallied on you to sustain the brightening prosperity of their country. The nation will be pleased to learn that Mr. Van Buren will go to England; this will quiet the fears of conflicting aspirants and give the country some peace.

If Judge White's daughter, Mrs. Alexander, should change her situation as it is more than probable that she will, I am induced to believe that he would accept the War Dept., as it is urged on him by public feeling as well as by your wishes. I am satisfied that he would not like to take any step that would have an unhappy effect on our elections. If he were to accept during the canvass, it would no doubt have some influence on the elections, as the claims of aspirants for his place would be before the people and our people are peculiar and not like any other.

"For one I believe it is important for your administration to have Judge White in the War Dept. It will silence the rumors that you have discarded your old friends and sought counsel amongst your new converts.

"It will do still more for the country. The dignity of White's character, blended with talents and integrity acknowledged by all parties, will give strength and confidence to his opinions and official acts.

"His opinion on the incidental and constructive powers of the Federal government coming through the War Dept., will have the happiest effect.

"It was the influence of this department that enabled Mr. Calhoun to rally the war fever and war phrensy to the scheme of natural magnificence, that enabled him to command the whole energies of the nation to a preparation for war after the war was over and thus beguiled republicans from republican duties.

"I understood that Governor Floyd wrote to a certain gentleman in E. Tenn., urging him and the Clay people to drop Clay and take up Mr. Calhoun. I did not hear the effects of the letter. A highly respectable gentleman of Charleston (Mr. H. W. Conner) wrote me a few weeks since that the nullifiers have determined to run Mr. Calhoun for the Presidency. He thinks it would be a hard battle in S. C., but believes that the victory would be awarded to Tennessee's chief.

"The union of the American system and nullification, if Mr. Calhoun be a nullifier, will be almost a demonstration of the old maxim that two extremes very nearly approach each other. This will certainly require a Yankee patent to make them stick, unless it be that two absurdities have an affinity for each other.

"Unless usurpation be put down by the weight and influence of your administration, we may bid farewell to the lawful and peaceful action of the govt. Hence it becomes indispensable

to have all the influence that can be arrayed ready for action. I received a letter a few days since from our friend Maj. (Jesse) Egnew of New Orleans, in which he writes that Mr. Clay spent the winter in the city and that he was not invited to eat or speak. The correspondence troubled the Clay men but at last they said Old Hickory before Calhoun.

"I would open emigration to the Arkansas next fall for the Cherokees. They will not treat yet. Their subject will go and thus drain the nation.

Your friend,

"R. G. Dunlap.

"To Prest. Jackson, Washington City."

JACKSON TO DUNLAP.

"Genl. R. G. Dunlap, attorney at Law, Knoxville, Tenn.

"private Washington, July 18th, 1831.

"My Dear Sir: I have just received your letter of the 20th ult. and snatch a moment from public duty to reply to it.

"I am happy to learn that your health is improving, whilst I regret to hear that it has been feeble; if my good wishes for your vigorous health will give it, I send them with great sincerity.

"As I have but a moment to write, you will excuse my brevity on the various points of your letter.

"Whilst it is pleasing to hear that the reorganization of my Cabinet meets with the approbation of Tennessee, as well as the whole union, I cannot omit a passing notice on your remarks as it respects Major Eaton; it is this: Major Eaton leaves the War Dept. by the consent 'of all parties.' In this you are badly informed, he leaves it with the great regret of a large majority of the army and citizens of this place, who, without regard to politics, tendered him a dinner which he declined. This was not offered to any other of the resigned Cabinet.

"Great regret has been expressed by many of the citizens of Pennsylvania, New York, Ohio and Indiana, to which you may add my own, whilst all approve the high, honorable feelings that gave rise to Mr. Van Buren's and Major Eaton's resignations, when they found harmony in the Cabinet could not be maintained.

"I fear, my friend, you have been reading and giving too much credence to the slang of Genl. Duff Green's and other opposition papers, to be correctly informed as to facts here. The plans of Duff Green and Company are to slander, and if they could, drive from me every honest man in whom I ought to have confidence. And it is now well known here that if Major Eaton could have been made the supple tool of Mr. Calhoun, and become the enemy of Mr. Van Buren, without cause, he with Major Lewis, would have been ranked with the first and best men of our country; they, however, were too honest to be bought, and too virtuous to do injustice to Mr. Van Buren, who, permit me to say, has more honesty and candor, talent and frankness, than a

hundred such as Mr. Calhoun. I never acted with a more frank and candid man than Mr. Van Buren. It is said he is the great magician. I believe it, but his only wand is good common sense, which he uses for the benefit of his country. You will open your eyes at this declaration and perhaps not believe it; be it so. As to the depravity and duplicity of Mr. Calhoun, before I am done I will give you some facts; but before I do, one passing word as to Major Lewis. And first, I must sincerely regret the language used with regard to him, without pointing to some fact that would justify it. I have seen such slang in opposition papers, I have heard it from Mr. Calhoun's tools in Nashville, but coming from Genl. Dunlap, without detailing some facts that would justify it, has really astonished me. I have known him long, I have known him well. He is honest and faithful, as far as I know and believe, and attends to his own, without interfering with others' business. You must surely have been taking the slang of Duff Green, the Philadelphia Continent (?) and the City Journal for your proof, without looking to the positive refutation of the whole, in the Globe and Philadelphia Enquirer; if I am right in this then you might as well believe all that Arnold says about Judge White and Mr. Lea, and I am sure that you do not believe one word of Arnold's slander—the others are as foul—for I assure you, of my own knowledge, I do know several instances wherein Genl. Duff Green has wilfully stated falsehoods.

"But suppose I was to 'send Major Lewis home,' do you think this would appease my political, unprincipled enemies; no, no, I must send home Major Barry, Col. Campbell, Mr. Kendall and every other friend of mine that will not become the pliant and supple tool of Mr. Calhoun, and the open enemy of the unoffending Van Buren, who it is pleasing to Duff Green to decry as a plotter, without proof, and who is as innocent of the plots charged as you are. Genl. Dunlap could not ask me to bend to such humility; and if he was, I assure him, I never part with well tried friends to gratify my enemies, or for new ones.

"Therefore, for the present will neither part with Barry, Campbell, Smith, Kendall or Major Lewis. When any of them depart from the paths of honesty, propriety, or truth, and it is made manifest to me, I will 'send them home,' not before. Many of my real friends under a great delusion have done me more injury than all my enemies could do, and many who have professed friendship, (Calhoun like) under the mask of friendship have endeavored to do me much injury. They have been foiled.

"The moment I was installed, because I appointed Major Eaton, so necessary to me, when Judge White declined, all was wrong; and where was there a man who had laboured so much and burnt the midnight taper so often as he did in my behalf. Such a friend as Major Eaton is hard to find, and is worthy to be hugged to the bosom as a pearl beyond price. I have and will so cherish him. The extracts of sundry letters, being a corres-

pondence between Mr. Calhoun and a gentleman in West Tennessee, explains all this matter. Too much credence is given to the slang of Duff Green and his coadjutors in the opposition with regard to my friends. If the *Globe* was read it would shew all these tales put down, by positive denials and proof. Clerks have been engaged here, who have written to Nashville some of the most positive falsehoods that ever have been told by the most depraved of the opposition; they are just discovered, and some of them will 'go home' soon; one fact is now well ascertained, that Duff Green nor Mr. Calhoun never supported me. They opposed Mr. Adams under my name to put him down, and now wish to put me down to open the way to the Presidency for Mr. Calhoun. Mr. Calhoun first tried to crush me by his secret move in the Cabinet. He prostrated Crawford, and now wishes to crush Mr. Van Buren, lest he may be in his way hereafter, and will unite with Mr. Clay, or any other, to effect his views. As to myself, I leave these things to the people; they have the right to select their agents, and I hope ever will exercise it; and if they prefer another, I am sure I will be satisfied with my sweet retirement at the Hermitage, which I was dragged from, contrary to my wishes, and now am complained of, because I selected a few well tried friends around me, and will not abandon these for newcomers, to gratify one of the most wicked, depraved conspiracies that ever disgraced any Christian country. I would loathe myself, if any earthly influence could bend me to so vile a purpose.

"It is well known the high confidence I once had in Mr. Calhoun. I was taught to believe him a high minded and honorable man, capable of friendship, free from duplicity, or falsehood. This being my opinion of him when I returned from the Seminole campaign, enfeebled with disease, with one foot in the grave, and the other on the brink, and found from the public journals that there had been a cabinet council held which had decided on the subject of my arrest for transcending my orders in Florida, I could not believe that Mr. Calhoun was approbating such a movement.

"The Nashville paper ascribed it to Mr. Crawford and that Mr. Calhoun was my shield and support against this movement for my destruction; because I knew that Mr. Calhoun and Mr. Monroe could not think so, because my public orders were a carte blanc, and my confidential letter had been received, my views fully made known, and Mr. Rhea instructed to write me that my views were fully approbated. I therefore believed that Mr. Crawford was the secret agent of my destruction—for how could that Mr. Calhoun, who had said to Govr. Bibb, 'that I had orders to carry on the war as I pleased,' who had read the confidential letter, had approved it, and said to Mr. Monroe it required his answer, who knew that Mr. J. Rhea had been instructed and had answered it, who, in all his letters and those of

confidential friends, had breathed their full approbation of my conduct, I say after all this, how could I suppose that Mr. Calhoun was this secret person who had endeavored to destroy my reputation by his movement in the secret cabinet council where he believed his acts never could become public, and who had laid it upon another? It is true, in 1824-5, Mr. Rankin (?) member of Congress, did tell me Mr. Calhoun and not Mr. Crawford, had made this movement against me. I did not, nay, I could not believe he could be so base; nor did I when I sent him Mr. Crawford's statement, believe it, until I received his acknowledgment under the sanction of his name, in his reply to my note alluded to. You may ask me why I was so incredulous. I will tell you. You have read the correspondence, you have seen in it published my confidential letter to Mr. Monroe in which Mr. J. Rhea is referred to as a confidential friend thro' whom the wishes of the Executive could be communicated and in sixty days I would carry into effect these wishes of the Executive. You have seen that Mr. Calhoun read that letter, drew Mr. Monroe's attention to it, and said he must answer it. I have now to tell you that Mr. Rhea did answer it, by the direction of Mr. Monroe, approving all my views. This letter was received by me on my way to Ft. Scott. Mr. Calhoun knew that this letter was answered by Rhea, and that I had complied with the public orders and confidential wishes to a tittle. He knew I had not, nay, could not transcend my orders, and how could I believe that any man, however depraved, could act as it had been stated Mr. Calhoun had, by secretly moving my arrest or punishment? I was mistaken, he was the mover. And I now ask you, if a man thus depraved, who could move my arrest and punishment, and publicly hold forth to me his friendship and support, what is it he would not do to prostrate those he might conceive to be in his way to his views of ambition? Think ye, he would not sever the union rather than not reach the point of his ambition? think ye, would not such a man rather rule in the lower regions than serve in heaven. His intrigue did not stop here. When I was in this city in 1819, attending to the Seminole campaign, Mr. Rhea was sent to request me to burn this letter. Having full confidence in all, I agreed that as soon as I got home I would burn it. Mr. Calhoun knowing this, when I furnished him with Mr. Crawford's statement, he acknowledged his guilt and adds insult to injury by urging that I did transcend my orders. Providence has permitted Mr. Rhea still to live, and one month before Mr. Monroe's death he wrote him fully, stating all the facts I have mentioned, a copy of which I hold, with Judge Overton's statement of the contents of Mr. Rhea's letter, which was confidently submitted to him with others when he wrote the defense 'of the Executive and the Commanding General' in the Seminole war.

"Therefore, a man who can thus act, can subsidize presses, and procure slanderers to villify me, and all friends who are near me who will not fall down and worship him. I therefore have to request that you will state one instance wherein Major Lewis has improperly interfered in any matter, either public or private. Charges there have been of such conduct against him. But I trust you are not one who takes rumor for proof, when put forth by subsidized presses or hired slanderers. When this shall be, then the most innocent and virtuous are not safe and even you may be a victim to the rule. Take a case in point; one of the most profligate characters now in this city is employed by three presses at five dollars a week to pick up all slander of the most base and vulgar kind, and communicate it by letter. One of these papers in New York assumes the character of a religious press. I ask what chance has innocence and virtue under such a system of morals? There is no safety for any one. And let me ask you, is not he that pirates (?) on private character worse than the pirate on the high seas, and ought not every one who sets value on character to put his face against the villains that practice it? Rumor, recollect, has a hundred tongues and every tongue a thousand lies, and if such a system of morals is adopted that rumor is to destroy character, then will a virtuous and moral course of life be no protection to the vile traducer, who can for a dollar set rumor afloat which will destroy the character of father, mother, sister and daughter.

"I trust Genl. Dunlap will not subscribe to such a dangerous system of morals. All, in the eye of the law, are viewed innocent, until proved guilty.

"I sincerely regret that the multiplied bereavements of my friend, Judge White, has prevented me from his able aid in the Dept. of War. All my influence was exerted but has failed, and I have appointed Governor Cass to fill that Dept. I trust my present Cabinet will harmonize, it must. I cannot permit such scenes as Mr. Monroe suffered in his.

"One word and I must close. You may rest assured that all the arts of Mr. Calhoun and his satellites cannot coerce me to send (?) my old and well tried friends without cause, to gratify my enemies, and Tennessee was the last place in this union that I expected a combination to injure me and promote the views of my most vindictive enemies. It is now clear that the vile attempt against Eaton was not to injure him, but me, through him.

"No objections were taken to others, which on the score of rumor as much had been said as against him, still when he has resigned, it is kept up to injure me. Be it so, they have fell in the pit they dug for Eaton and myself. Ingham is prostrate, whilst Eaton lives in the heart of his country, and when his traducers are buried in forgetfulness, his name will be hailed by the good and great as one of the best and most virtuous patriots of his day.

"I shall expect to hear from you on receipt of this, and hope you will pardon the haste in which it has been written, and any imperfections it may have, and ascribe it to haste. Remember, this is not for the public, it is for you.

Your friend,

"ANDREW JACKSON.

"Genl. R. G. Dunlap,"

"P. S. Preserve this, I keep no copy as it is to a friend.

"A. J.

"P. S. It would have been a source of great consolation to me to have had Judge White in the Dept. of War. My whole influence was used to effect this object. It failed from the situation of his family.

"In Major Eaton I have a faithful and confidential friend. Had it not have been for the intrigues of Calhoun, and part of my Cabinet falling into his views, and aiding him in operating on the Senate to defeat my nominations, such as Hill, &c., and prevent those national measures I had recommended from being acted upon, thereby to lessen my standing in the nation, I would have had a harmonious and successful administration. I will still have it.

"Who is it that are making the serious charges that I have discarded my old friends? Who are they I have parted with? I would like to hear their names. It cannot be possible that Calhoun is meant as one of my old friends. I have thought him so, but his own character shows that he was lukewarm between Mr. Adams and me. And his secret attempts against me in the Executive Cabinet shows that altho' he was my open professed friend, he was my secret and deadly enemy. Was it meant any of my Cabinet that have resigned? There were but two that would not have sacrificed me at any time for their own aggrandizement, and that of Calhoun.

"I had three friends, disinterested, high minded, and talented men, Van Buren, Eaton and Barry. These were jewels and men of high honorable feelings on whom their friends, or country might repose with safety.

"No country holds men of purer patriotism, or talents of higher order, particularly Van Buren and Barry, and Major Eaton is one of the best men with talents far above what his enemies, or many of his friends, would yield him, his talents are far above mediocrity; and I repeat, he is one of the best men on earth, excelled by none in the purity of his morals.

"You have seen the disgraceful flight of Ingham. The Scripture says, 'The wicked flee, when no one pursueth.' He is perfectly prostrated in his own State, and the various reports in the several States will show you the standing of Major Eaton. His has increased, whilst Ingham has fallen, never to rise again—the fate of all slanderers.

"A. J.

"N. B. You say if Mr. Calhoun is a nullifier, &c. &c. I have positive proof of that fact, that he is, and I have this day received a letter from a high source in South Carolina, that he is secretly encouraging hostilities to the republic 'which in their character are not less unnatural than destructive to the union of these States, it is high time to direct (says the writer) the attention of the chief magistrate to this novel and dangerous state of things.' This is the conduct of the 2nd officer of this happy country, that he is endeavoring to plunge into a civil war, by his secret admonitions and contrivance. If true, I will meet the crisis firmly. Mark me, I never state anything not founded on proof."

DUNLAP TO JACKSON.

"Knoxville, Tennessee, August 10, 1831.

"Dear Sir: Your letter of the 18th of July reached me on the eve of our elections. My engagements forbade me to take time to answer sooner.

"It now gives me pleasure to write in full and in so doing, I frankly confess that the kind feelings of your heart, so generously and openly avowed for your friends, which are characteristic of the whole tenor of your life, merits and calls up all my admiration for such noble friendship. Yes, this display of inflexible kindness almost disarms my objections to the continuance in office of the people alluded to, and were I to consult my own heart alone, and not your usefulness to my country, I would not murmur longer, but cherish the indulgence of your fidelity to friends that holds them around you.

"I presume Major is a gentleman with a good heart and much better attainments and talent than his friends generally award him.

"But public opinion seemed to rise in judgment against his continuance in the War Department, and this was the reason I supposed he retired by the consent of all parties. Major Eaton may not have merited the invitation, nor shall I pretend he did, but as the ruler of a free people I believe it to be better for you to obey the public voice and have men around you who could and would not only discharge the several duties of the different departments, but at the same time strengthen by their relation to the country, the hopes of every patriot.

"Fitness for responsible station, with capacity to act out all incumbent duties, are not the only requisites in popular governments. The public must have confidence to ensure that support so essential to any administration. I wish Major Eaton all the joy and happiness that fall to the lot of any man. I am for my country, and not against him.

"As for Major Lewis, I am well advised that his connection with you does and will affect you in Tennessee, whether it be true or false, (for one I do not believe he has the influence attrib-

uted to him) the consequences are the same in public opinion, and it is due to your own fame, to your friends and country, to dispel the suspicions of the times. Mr. Lewis is too feeble a man to have this station before the American people, suppose his heart to be pure as an angel. His friendship for you none will doubt. His supposed influence in elections, all must, to say the least, doubt. This is the public opinion that prevails that Major Lewis is your confidential friend, and the fact that he lives with you gives countenance to the charge that what he does is by your advice. You can readily, my dear sir, see the awful effect of such suspicions, no less than a desire on the part of the executive to control the elective franchise. No man in the nation, I am satisfied, would denounce and abhor such interference more than yourself.

"I will quit this unpleasant theme with the assurance that my confidence is not the least impaired in your unwavering patriotism, or in the final result of the public usefulness of your administration. Yet, sir, these little matters have had their effect, and I fear beat Mr. Lea by a second Benedict.

"I thank you for submitting to me new evidence in your unfortunate difficulty with Mr. Calhoun. I say unfortunate, as it was so at least in point of time. Mr. Rhea's letter will certainly vindicate you as acting under the orders and wishes of the government in the Seminole campaign of 1818, to suppose any other was required than the force of your discretionary orders. When I joined your army in Florida and at that time I reported to you, after the usual civilities, you said to me that you would furnish me with a copy of your orders, which would shew that you were justified in entering neutral territory in fresh pursuit of an enemy who obtained protection there, by the discretionary orders and wishes of your government. This was after the taking Fort Gadden (?). I replied that I was satisfied to obey my Genl., believing that he knew his duty. You said: Yes, sir, but I want all my officers to be satisfied that what I have done in Florida was done by the directions of my government. You said the government wished you to take such a course as would bring the war to speedy termination, and that nothing less than wresting the Spanish forts from the Indians would enable you to do so, as the Indians were sheltered and protected by these forts. There are facts that I can not forget and none can doubt who shared the privations of that campaign, that the Indians did receive aid and succor from the Spanish forts.

"Yet, my dear sir, with all the justification that the enlightened judgment of your country has long since passed upon these transactions, I would not stir them any more, let them sleep.

"However desirable it was to explain any misunderstanding between you and Mr. Crawford, and unite personal feeling with political principles, still you cannot be a stranger to the fact that Mr. Crawford loved none less than he did Mr. Calhoun. He,

in opening the facts of Mr. Monroe's Cabinet council to advise on your conduct in Florida, had, as is apparent in his own writings, other motives than your vindication, which was the pretext for the calling for his evidence.

"None can doubt but that the explosion of your cabinet, with the precursor, the correspondence with Mr. Calhoun, will bring new and spirited adversaries in the field against you. How to meet them can be better ascertained by searching out the true cause which first agitated the harmony of your own household and friends.

"As I was a member of your suite in 1828 to celebrate the anniversary of the victory of New Orleans, I have an opinion. While passing down the river, Major Lewis's mind seemed to be filled with suspicions about impending and projected injuries awaiting your fate. He was as usual busy and apparently kind to you. I believed either that he was alarmed at the phantoms of his own fancy, or, that he desired to ingratiate himself deep in your favor, by his officious acts toward your election.

"Major Hamilton mentioned to me after we left Natchez that he designed to return to New York through the Southern States. That he wished to visit that country, and at the same time believed that he could conciliate Mr. Crawford toward Genl. Jackson, which would have a very happy effect on the Crawford party and particularly in New York. I replied, that however desirable it was to explain personal misunderstandings and unite personal feelings with political predilections, that I entertained a better opinion of the Crawford party than to think that they could be turned by a nod or smile from their leader, that they were pledged by principle and political consistency to unite against the latitudinous doctrines avowed by Mr. Adams in his first message to the Congress of the United States.

"He seemed to acquiesce in the propriety of my remarks but said that the leaders of parties always had influence with them. He then stated that it was believed that Genl. Jackson was to be assailed either by Mr. Adams or Mr. Monroe in relation to the affair of the Seminole war in Florida, and that some of the Genl.'s friends (stating that he and Major Lewis had talked about the matter) believed that Mr. Crawford could give evidence growing out of Mr. Monroe's Cabinet council, which would vindicate the Genl. against such an attack. I promptly replied that I feared no such idle dreams, that Mr. Adams' ambition for fame would not permit him to disturb his vindication of Genl. Jackson's conduct in Florida, that I believed he viewed it as the nation did, as one of the happiest incidents in his life.

"And as for Mr. Monroe, I said, 'my dear sir, can any one be so reckless of his own fame as to sully one of the brightest acts of his administration, for such Mr. Monroe believed Genl. Jackson's conduct in Florida, with its consequences, to be the cession of that country by Spain.' Mr. Hamilton remarked, as strange

as it may seem, there was no calculation to be made about high party conflicts and then intimated a doubt of Mr. Calhoun's fidelity to you. I remarked that I cared not whether Mr. Calhoun hates or loves Genl. Jackson, if he would only act for his country, as I believed he and his friends were doing, and that I hoped never to see the day when the support or opposition to any man or administration would be based on personal feelings, that the principles of our government placed the political action of our people on higher grounds. To speak candidly, I felt a contempt which I had tried to suppress for several days for the conduct of some of your suite, whom I believed, were feeding your fears and passions with a view exclusively to fasten themselves on your kindness.

"I immediately informed Col. Martin and Genl. Smith, two of your suite, of my contempt for the servility and sycophancy of part of your suite and that I intended to quit the company. Genl. Smith, Col. Martin and myself agreed to take separate lodgings in the city but to appear with you in public.

"Governor Houston heard of this determination, so did Dr. Shelby and by this argument prevailed on us to remain, to prevent the rumor that your suite had quarrelled. I told Doctor Shelby that I was annoyed at the meddling of such busy little men, who deserved not the rank of your advisers and who were doing more harm than good, even on the supposition that their motives were good. Mr. Calhoun's fidelity to you was alluded to before we left Nashville as being questionable, and after what subsequently happened, Mr. Calhoun refusing to associate his family with Major Eaton's, it was easy to discover the means in Mr. E. power to annoy him, suppose Mr. Crawford's evidence was desired for other objects in the first place; and this was, I believe, the clue to the whole difficulty in your cabinet and with Mr. Calhoun, without stopping to justify Mr. Calhoun's motives to you in the Cabinet council.

"You say that you have evidence that Mr. Calhoun is a nullifier, be it so, I suppose he is, if the report of the conduct of the South Carolina legislature be correct in relation to this subject. Yet would it not be better to leave this to the nation than for you or your friends to interfere, not with the question, but with the advocates. You had, and the country had, and I hope now has, some of the best friends misled by an honest zeal on this subject, and would it not be better to win them back by honorable means than to press them to the wall. It is conjectured that an attempt will be made in our legislature to affect Mr. Calhoun in your nomination. I shall deem this not only arrogant but malignant in Tennessee, should it succeed; still I believe it cannot. We should let other States make the Vice-President. and be willing to act in harmony with the great body of the Republican party.

"Virginia and East Tennessee held a convention at Abingdon on the 25th instant on the subject of connecting the waters of the James River with the Holston by railroads; I expect to attend. This work is expected to be done by Chartered Companies in which the States may take stock, and this is the only mode to check the growing rage for internal improvements by the Federal power. The people are awake to the high utility of such improvements and will act, either through the State or the National government.

"You will please pardon the carelessness and haste with which I write, as well as the freedom of my opinions.

"I am very respectfully, your friend,

"R. G. DUNLAP.

"Andrew Jackson, Prest. U. States, Washington City."

JACKSON TO DUNLAP.

"General R. G. Dunlap, Knoxville, Tenn.

"Washington, August 29, 1831.

"Dear Sir: Your letter of the 10th instant is just received, and perceiving that you are in error, as I presume for the want of correct information on two points, I am induced, notwithstanding the press of business with which I am surrounded, to give you a reply. I thank you for the expression of your 'admiration for such noble friendship' as you are pleased to assert has characterized my conduct towards my friends. But when you accord to me the justice of preserving 'fidelity to friends,' and applaud me for it, I must confess that I am somewhat surprised, on the expression of the intimation that I should attempt to 'dispel the suspicions of the time' by driving from me individuals who have been sincere in their friendship for me, and by whom I have never been deceived. I, however, indulge in the hope that when correctly advised of facts, your opinions and consequently your wishes on this subject, will be changed. The connection which exists between Major Lewis and myself, when truly understood, can do no injury with true friends, and you are sufficiently acquainted with my character to know that I am always regardless of my enemies.

"Every term of the Presidency, there are \$14,000 appropriated by Congress for the renewal, and repairs of furniture for the President's House. An honest and faithful agent is necessary to disburse this money, and having full confidence in Major Lewis, I have constituted him this agent. If I had not him, to whom else could I entrust it? My son is too young, and if he were not, it would be improper that he, or any of my connections, should have the agency. Major Lewis I know to be honest, faithful and true to me, and therefore it is, my enemies abuse him, and complain that I have him near me. Why were these complaints not made before I left the Hermitage, where he was

for fifteen or twenty years an inmate in my house, had at pleasure the perusal of my papers, and enjoyed my full confidence? And shall I now, after the efficient services he has rendered, drive him from me because his enemies slander and abuse him? It would be but a short time, if I was to pursue this course, before I should have to separate myself from all my friends. It is then, my dear sir, not the best evidence of friendship which can be given, to insist upon the adoption of such a course.

"I have been for some time aware of the fact that Ingham, Berrien, Branch, Duff Green and Company—the agents of Calhoun—have been secretly at work with their notebooks, &c. &c., to prejudice Major Lewis in the estimation of the public, and my friends. I had supposed that my true friends would be on their guard, and not adopt the sentiments and slang of these men, without giving some attention to the facts that stand opposed to all their operations; and it pains me to learn that the conduct of some who have long professed to cherish the strongest attachment for me, show that they have too willingly imbibed the opinions of my enemies. You correctly suppose that there is 'no man' in this union would sooner denounce any interference, on the part of the Executive, with State elections, than myself; but injustice is done to truth, when it is supposed that I, by the conduct of Major Lewis, have evinced the least desire to control the elections. Major Lewis has positively denied any interference with State elections since he has been here, and in the absence of proof to support the allegations against him, would it not be unjust, ungrateful in me to determine him guilty? If any proof exists against him the rancor with which the feelings of his enemies have been characterized, induces the positive conclusion that they would long since have adduced it. I have too long felt the injustice done by the slander of enemies to give a believing ear to the mere assertions of the enemies of any individual. I confidently believe that the suspicions which you say exist as to Major Lewis interfering in elections, are as groundless as Calhoun plots against Van Buren (of which Van Buren is as innocent as a babe) and are entirely imaginary. But I will close this subject with the remark that if I am to drive away and discard my friends without cause to obtain popularity, I will not have it on such terms, and would despise myself if I thought, or even suspected, that I was capable of purchasing it by such dishonorable means. But I must ask, where is the patriot, that I have near, or around me, who is not made the target for the vilest slander and detraction? and when that upright man and incorruptible patriot—H. L. White—has been made the subject of the vilest chargest by the profligate Arnold (and there are many besides him that do not bear the name, although equally corrupt) how can you expect that here, the focus of intrigue and corruption, either I or those around me can escape? It would not only be unjust, as I have before intimated, but a

dangerous system to abandon friends without sufficient cause, merely because they become the object of abuse by our enemies.

"The other point which I propose noticing has reference to the relations which existed between Mr. Calhoun, Mr. Crawford and myself, and some suspicions you inform me, you entertained in respect to 'the conduct of (my) suite' to New Orleans in 1828. Every one who has known me, knows full well the high regard I once entertained for Mr. Calhoun, Mr. Crawford was my political enemy, and Mr. Calhoun and he, at the time of the Seminole campaign, and long after the decision of the subject which grew out of it, were bosom friends, and so remained up to 1821 or 1822.

"I had frequent, full, and free conversations with Mr. Calhoun on the subject of the Seminole campaign, and denounced Mr. Crawford for the course which I understood he was pursuing against me in the Cabinet. Ought not Mr. Calhoun to have frankly told me that he was not, as I supposed him, my advocate in the secret cabinet council, and that I did injustice to his friend, Mr. Crawford, in respect to his conduct, on that occasion? It does seem to me that an high minded and honorable man would have done so.

"Mr. Calhoun at all times and on all occasions, so far as I was then advised, professed to be my uniform and steadfast friend, and throughout the canvass for President, was regarded as my undeviating friend, and not until he shew to the contrary, in his correspondence with me, which he chose to publish, was the sincerity of his professions ever questioned by me, nor did I even suspect that any of my freinds indulged in the slightest suspicion that he was not sincerely the warm and decided advocate of my election. I am perfectly confident that Major Lewis never did hold the least suspicion of Mr. Calhoun's duplicity to me, until late in 1829. You say 'none can doubt but that the explosion of my Cabinet with its precursor, the correspondence with Mr. Calhoun, will bring new and spirited adversaries in the field against' me; and that 'how to meet them can be better ascertained by searching out the true cause which first agitated the harmony,' etc. I have the pleasure to inform you, on this subject, that the task you recommend has already been performed, and that you will find the result of my labours in the reorganization of my Cabinet proper. I am now relieved from an intercourse with Ingham, Branch and Berrien, who have shown that they were unworthy of the confidence reposed in them, and regarded the interest of a certain aspirant to the Presidency more than they consulted the harmony of my Cabinet, and the consequent prosperity of my administration, and the country. By the change I have secured the services of those who are competent and true, and it affords me pleasure to learn that my fellow citizens approbate the course which their best interest imperiously demanded at my hands. Your remark that 'while passing down the river (Mississippi) Major Lewis' mind seemed

to be filled with suspicions about impending and projected injuries awaiting (my) fate' and 'that he was as usual busy and apparently kind to' me, and that you 'believed either that he was alarmed at phantoms of his own fancy, or that he desired to ingratiate himself deep in (my) favor by his officious airs towards (my) election.' I must confess that I am not a little surprised that you thus 'believed' and am willing to suppose that, if you had been aware of the character of the intercourse with Major Lewis, and the then attending circumstances, that you would not have been the subject of such suspicions. I would suppose from the tenor of your letter that you have forgotten the nature of the correspondence between Mr. Monroe and my friend Judge White in respect to a speech delivered by the latter in reply to a toast in honor of me, given by a company on the 8th of January, 1827, in this city. If you did not, then I now inform you that this correspondence was commenced by Mr. Monroe, and that he and Southard had threatened to write a Book. It was charged, or rather, asserted, that the controversy growing out of the Seminole war was again to be agitated, that my violation of the constitution and my orders was plainly to be shewn, and indeed, that I had deserted my post, left the army, and was returning home, and would not have saved New Orleans, but that Mr. Monroe had met me with a peremptory order to return. It was this threatened attack, not by Mr. Adams, but by Mr. Monroe to Judge White, and by Mr. Southard through the public journals, which Major Lewis and Col. Hamilton, I suppose, were preparing to meet.

"My friends at Washington were much alarmed on this subject, and the correspondence having been made known to me, I furnished the means of defense then at hand to Judge White. Major Lewis was fully advised of the threats which were made, and no doubt on this, as on every other occasion, he felt anxious to obtain all the facts necessary to my defense. He was one of my most efficient friends in collecting information and preparing documents for the Nashville committee in my defense.

"Now, my dear sir, as light as you have made of this matter, Mr. Monroe did intend to write (as Mr. Calhoun has done) a book. If the impression could have been made that Mr. Monroe, in order to save New Orleans, had to order me to retrace my steps after I had started home, &c., &c., it would have added greatly to his reputation. Notwithstanding that Mr. Monroe knew that Mr. Rhea's letter to me was burned, he perceived from my letter to Mr. Southard that I was prepared at every point, and therefore the project of the book was abandoned. You seem to have forgotten that Mr. Monroe had charged me with transcending my orders. We were at issue on this point, notwithstanding he approved my conduct, as he professed, on a knowledge of the circumstances which attended it.

"You say that Mr. Calhoun's fidelity to (me) was alluded to before we left Nashville as 'questionable.' This is new to me, and I have said enough already to satisfy you on this subject, and will only add that, as early as 1824-25, I was informed on high authority that it was Mr. Calhoun and not Crawford who had moved my arrest. Because of the circumstances to which I have alluded in connection with others not necessary to mention, I did not, nay could not, give credence to the information unless I had come to the conclusion that he was one of the most depraved. I could not believe that any man, possessing the standing he then held in society, could be so depraved as to practice such duplicity. Aside from his repeated assurances of friendship, I knew that he had not only issued my orders, but had so explained them himself as could leave no doubt of my correct interpretation of them, and, therefore, could not suppose that he would secretly attempt to destroy me for acting in obedience to my orders, and accomplishing the wishes of Mr. Monroe and himself as confidentially expressed to me thro' Mr. Rhea. I regard the sentiments contained in Mr. Rhea's letter as expressive of Mr. Calhoun's wishes as well as those of Mr. Monroe, because, Mr. C., as I believe, was well advised in respect to the confidential letter which Mr. Rhea wrote me under the directions of Mr. Monroe. I am truly astonished at the contempt you now express for 'the conduct of several of my suite' on my tour to New Orleans. According to my recollection, I had but Major Lewis and Mr. Earle, who were specially invited to take charge of my family, circumstance which would in my opinion, have rendered any 'officious airs towards (my) election' by Major Lewis unnecessary, in order 'to ingratiate himself,' if he had wished it, 'in my favor;' Governor Houston and staff consisting of yourself, Genl. Smith and Col. Martin, as I understood, Judge Overton, Doctor Shelby and Major Donelson. I am sure that I perceived nothing to which I should take exceptions in the conduct of any of my 'suite,' or Col. Hamilton, who was not one of it, but acted in a higher sphere, being one of the representatives chosen by the Republicans of New York to meet, and congratulate me on the plains of New Orleans on the 8th of January. I discovered no attempt on the part of any of my suite, or Col. Hamilton, to obtrude upon me. With them or Col. Hamilton I had but little or no conversation on the subject of politics from the time we embarked until we returned. I have no recollection of having had any conversation on the subject of Mr. Monroe's book during the trip, nor at any time on that subject with Col. Hamilton. He was for the first time introduced to me at the Hermitage a few days before we set out, and I had no secret conversation with him on any subject, and I assure you that the matters you now detail were unknown to me. Neither of these gentlemen attempted to arouse my fears on the subject of my election, either then or at any other time, and you judge very incorrectly of me if you suppose that my fears

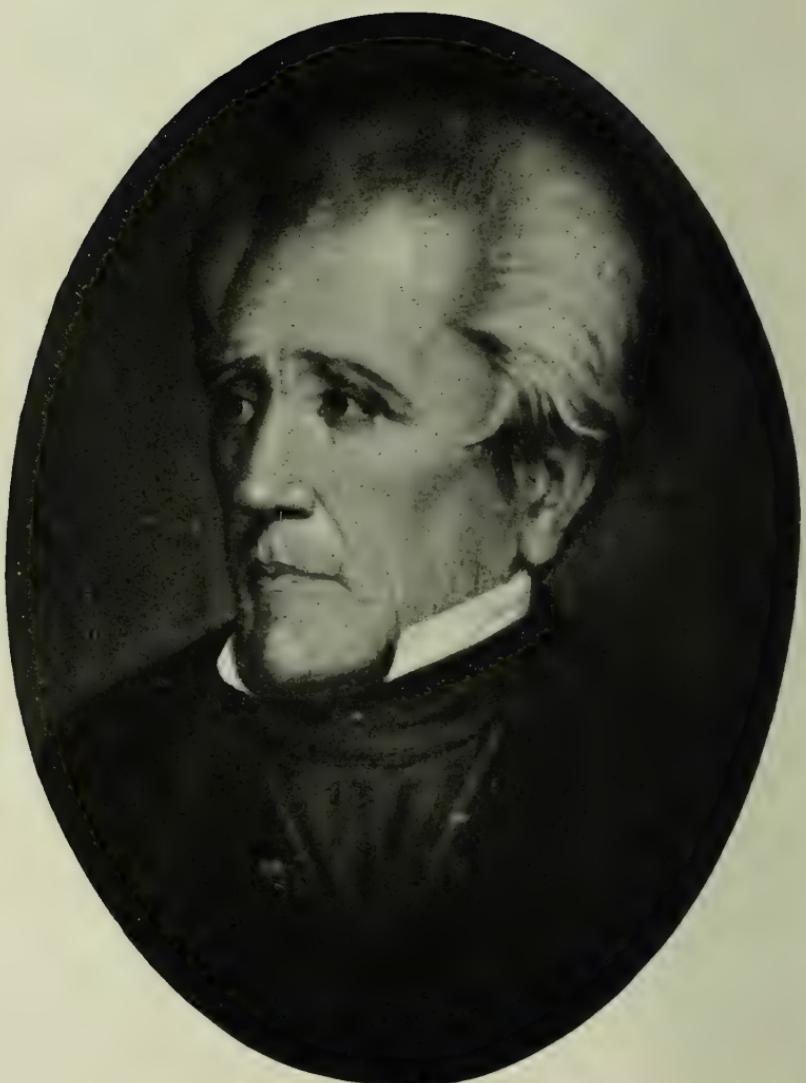
can be aroused on any occasion, and, particularly, on the subject of the Presidency, for you, as well as all my friends know, that I am here, not by my own wishes, but the will and wishes of the people. The Hermitage is my choice. I am, however, at all times, prepared to defend my self or friends when unjustly assailed, and I assure you that you have done great injustice to my suite on that occasion in ascribing to them the acts and motives which you have. I have written in my usual frankness and hope that the facts developed will convince you of your error. I have not time to notice the other parts of your letter. I thank you for the assurance 'that your confidence is not in the least impaired in my unwavering patriotism or the final result of the public usefulness of my administration' and beg you to accept my best wishes for your health and happiness.

"ANDREW JACKSON.

"Genl. R. G. Dunlap.

"P. S. It seems strange that my friends in Tennessee should desire me to separate from Major Lewis while there are other States entertaining different feelings.

"A. J."



ANDREW JACKSON

From photograph of a daguerreotype furnished the author by Mr. Christopher Wren of Wilkes-Barre,
Pennsylvania.

CHAPTER 34.

Andrew Jackson—Twelve Letters Illustrating Personal Views and Characteristics—
Col. Robert I. Chester.

The twelve letters in this chapter are from Andrew Jackson and upon a variety of subjects which range all the way from a discussion of the legal principles involved in secession to the advising of Rev. H. M. Cryer on the selection of a second wife. The Mr. Gwinn named in one of the letters became afterwards U. S. Senator from California, and Mr. Cryer, to whom eight are addressed, was a Methodist minister who lived in Sumner County, Tennessee.

Personal letters afford the most searching insight into the mind and character of those who write them; they reveal the real man or woman, and this is one of the reasons these letters are here reproduced. No one can read them without having a keener and deeper knowledge of the real Andrew Jackson.

These letters are given for another reason. The author thinks that publishing original letters and documents in full, without change of phraseology or sentiment, is the most accurate way of depicting the past. We thus let our ancestors speak for themselves in their own words. The history of Tennessee has yet to be written—whether in the language and with the inferences, deductions and opinions of the historian, or, by introducing original sources of history—letters, documents, legislative acts, maps, surveys and any other sources which are derived first hand from those who made them. In a very large degree these original sources where preserved at all, have been locked up in private homes and little value attached to them, or, in public repositories which have not put them in shape accessible to the student or the public. The Tennessee Historical Society has done practically all that has ever been done in Tennessee in the direction of publicity of original historical sources, but that has been limited from want of means.

The author in publishing original sources hopes to make this edition of his work, in some degree at least, a source book which will help those who come after and write Tennessee history. Tennesseans do not know the history of their own State, and need to be educated into an appreciation of the boundless historical wealth which is theirs, but largely unknown to themselves and to the world. In courage, romance, daring, unequaled devotion to the task in hand and in every attribute of grand manhood, the annals of pioneer Tennessee are a delight and a wonder, and will repay a thousand fold him who delves into them deep enough to find out just what quality of men our ancestors were.

ANDREW JACKSON TO DR. A. G. GOODLETT.

The Nashville American of May 14, 1876, published the following letter from Andrew Jackson to Dr. A. G. Goodlett, and the introductory statement to the same by the American, and Frederick S. Heiskell gave them lodgment in one of his scrapbooks, from which they are here reproduced.

"Dr. A. G. Goodlett, was a prominent and successful physician of this city for more than thirty years, and an old personal friend of Gen. Jackson, having served under him as Surgeon of the Seventh Regiment of United States Infantry at the battle of New Orleans, and for some years previous and subsequent thereto. In view of the nomination of Henry Clay for the Presidency, in 1844, he concluded to write Gen. Jackson a letter, asking him to disavow his belief in the charge of bargain and intrigue made against Mr. Clay and Mr. Adams in the election of Mr. Adams to the Presidency in 1824. The Doctor was a great admirer and friend of Mr. Clay's, and desired to aid in his election; and as the General was now a devout member of the church, it was thought that with his great religious change, his feelings had become kinder to all his enemies.

"Upon this view, early in the spring of 1844, Dr. Goodlett wrote to the General, reminding him when he had now attained the summit of all his earthly ambition and retired to private life, with all of life's honors clustering around him; that his race was nearly run, and that, as a Christian forgiving his enemies, the time had come to do justice to two of his old enemies, and withdraw his charges against them. The Doctor's letter was written in great kindness, and with the best feeling towards the old hero, and was so received and appreciated by him, as is shown by his letter. But the man who never bowed his head before the storm could not be induced even by the kind interposition of an old friend to change his convictions. The letter of six closely written pages of letter paper from which the copy written

below was taken, is in his own handwriting, and was sent by Gen. Robert Armstrong to Dr. Goodlett. It has never been published. It was found among the Doctor's papers by his son, Mr. M. C. Goodlett, Attorney-at-Law, of this city, in 1850, and has been in his possession.

"The letter is folded the old-fashioned way, and sealed with wafers. It is given just as Gen. Jackson wrote it, with all his peculiarities of spelling, punctuation and expression:

"HERMITAGE, March 12 1844.—Doctor A G Goodlett—My dear sir, Your letter of the 7th has been received, is now before me, has been read with care and I now reply. I have no doubt it was written with the best intentions.

"Blessed is the peacemaker saith the Lord."

"I am fearful from some cause your eyes have been closed to the imperfections of character of Mr. Clay and Mr. Adams—will state a few facts, of many that would be adduced, for your consideration and reflection, from which you can draw your own conclusions. Thus premised I must remark that in no case have I ever been the assailant of either Mr. Clay or Mr. Adams—these falsehoods and gross calumnies have been often hurled at me to destroy my character, but have fell harmless at my feet—I have forgiven them, but I cannot forget those vile slanders they have propagated against me. You request me, as appropriate, to express my conviction of the misrepresentations made to me with regard to the alleged impropriety between Mr. J. Q. Adams and Mr. Clay, meaning 'the bargain, intrigue and management that made Mr. Adams, President, and Mr. Clay, Secretary of State,' referring to the declarations of Mr. Buchanan, as making any declaration of their innocence—he only refers to his having any personal information of the facts, etc., etc. But from that day to this he has viewed them both unworthy of trust as public men.

"Let us take a view of the case from the facts and recorded history of the two. You must recollect at that day there was great personal hostility existing between Adams and Clay, and that they had a postponed case of veracity to decide.

"The election of President was thrown upon the House of Representatives. The Kentucky Legislature had instructed their Senators and Representatives to vote against Adams and for me. As the day of election grew near at hand, it was rumored and predicted that Clay would make Adams President, and that Adams would make Clay Secretary of State. This prophecy was fulfilled to the letter. This whole matter was fully investigated by the Legislature of Kentucky, and the proof of the course of their Representatives to Congress and their excuse for violating their instructions were, 'that they found if Mr. Adams was made President he would make Clay Secretary of State, but if I was, Clay would not be.' Does any unbiased mind require more proof of the intrigue between them

than this? How could it be understood by these Representatives that Adams would make Clay Secretary of State unless by the Pledge of Mr. Adams personally given, or by Mr. Adams' authorized personal agent? I think, upon reflection, you will think such a case of corruption and secret management could not be afforded. I recollect that I was approached on that occasion to meet them with their own weapons—I gave the corrupt proposition such a rebuke as it deserved, and such a one as the gentleman would never forget during his life. It is reasonable to suppose that this rebuke gave the conclusion that if I was elected, Clay would not be made Secretary of State, although no man knew, nor had I breathed it to any human being who, if elected, would compose my cabinet. Are not those facts and circumstances proof as strong as Holy Writ of the intrigue between Clay and Adams, that Clay was to and did make Adams President by his vote and influence, and that Adams, as was predicted, made Clay Sec. of State, to use Clay's own words, 'in the line of safe presidents.' Now with these facts before you I am sure you cannot expect me to abandon truth and shield, by my declaration, such base corruption as this for the sake of office, and impose (?) such profligate men from that merited censure from all who practice good morals, and be in part the instrument in raising corrupt men into office and public confidence. There were unbiased men of that day, but believed the corrupt coalition between Adams and Clay. Your Fosters and Bell gave credence of the facts and many more, and Mr. Foster, and many others under oath as members of our Legislature, and in the public streets of Nashville, burned Clay in effigy. You refer to Mr. Beverly—do you know him—I know him—he is unworthy of credit—a bankrupt in character and property, as I am advised.

"But, my dear sir, you are pleased to say that 'if all other evidence was wanting of the integrity of Mr. Clay, the often repeated assertions of that great and good man John Q. Adams, would be conclusive with you.' My dear sir, not so with me; I know him devoid of truth or honorable conduct, when he wishes to defame others. I will name a few cases out of many, for your information, and leave you to judge of his 'greatness and goodness!' Have you not seen the public rebuke I gave him, for one of the most positive falsehoods that ever entered the head of a wicked and vindictive man, the object of which was to connect me with conniving at the raising of troops in the United States for the conquest of Texas, and for this purpose had promised the government of Texas to Hutchings Burton; a more bare-faced falsehood never entered into the head of man. Mr. Burton and myself never had a conversation upon such a subject. Again have you forgotten, or have you not seen another rebuke I was compelled to give him, about my confidential letter purloined from me by the scamp, Dr. Mayo, given by the Doctor to Mr.

Adams, and altho marked confidential, Mr. Adams presented to, and read it in the House of Congress to convict me of conniving at the secret movements of Genl Houston in raising troops for the invasion of Texas, and that I had wrote this as a blind and never sent it to Judge Fulton then acting as Govr of Arkansas? The case concisely is this. Communications having been made to me, confidentially, to make strict inquiry, into the facts charged and communicate them to me. I did not credit the information, but if it was true I intended to put it down. This letter I sent to the Judge, and the confidential copy marked confidential was the one purloined and handed to Mr. Adams, who, instead of returning it to me, and rebuking the Dr., read it in Congress as the original not sent. Judge Fulton brought on the original, swore to its receipt long before the copy was purloined, and filed it in the State Department, which disgraced this old vindictive traducer. The law says the receiver of stolen property is as bad as the thief. I ask you if Mr. Adams had either truth or honor to govern him, would he not, the copy being marked confidential, come to me with it, returned it to me, and exposed the thief? I ask if any man of either honor or truth, would have received a confidential letter and produced, and read it in Congress? Nay, and any man that would be guilty of such baseness is capable of doing any base act that a wicked heart can conceive. I am sure you will say that a 'great and good man' could never be guilty of such a base act, and therefore, any assertion he makes cannot be relied on. Other cases equally strong I could name, by my debility forbids me. I am too feeble to proceed, as I must bring to your view a few cases of Mr. Clay's justice and veracity. You cannot have forgotten the great Idolitrous, hard cider and coon gathering at Nashville in 1840. You must recollect that Mr. Clay was there as the great leading demagogue and electioneer traveler of that day. That he made a long speech in which he charged upon me the appointment to office of defaulters, and designated that pure and good man, Edward Livingston, as one, altho in his grave at the time. I was at home sick, and I know so much of Mr. Clay as to know that he made this false charge, knowing as he did that it was false, to leave behind him for food for my political slanderers in Nashville, that I would not hear of it until he was gone. In this he found himself mistaken; an honorable Whig, hearing the charge and knowing that it was false called and informed me. Sick and feeble as I was, I got into my carriage, went to Nashville, charging upon him his slander upon the living and the dead, and proving from the records of the United States Senate that Mr. Livingston was not a defaulter, and a Federal Senate approved his nomination by a unanimous vote, Mr. Clay present. Mr. Clay, in his Nashville speech of 1840 made this attack on Mr. Livingston and myself, knowing that it was positively false when he made it. Now I ask you can any one who loves good morals and truth

have any confidence in Mr. Clay's assertions or viracity. All who know Mr. Clay, does know that he lacks good morals, that he is a reckless political demagogue, ambitious and regardless of truth, when it stands in the way of his ambition. Now, my dear sir, is it not the duty of all good men to unite in placing good moral men into office who will use all their power and influence to put down vice and immorality, and maintain true religion and virtue. Our republican system rests upon the basis of virtue, therefore, to perpetuate the blessings of the republican system we enjoy, we must choose men of good morals or our glorious system cannot endure.

"May I ask you, in conclusion, what has either J. Q. Adams done for the public good? Nothing, but much evil. They have both apostasized from their past principles, both regardless of truth to suit their wicked purposes. I have passed over many of their attempts to defame me. My debility is such that I can scarcely direct the pen, and must close. I have stated facts relative to these two men recorded in the history of the times, and of my own knowledge and leave you to draw your own conclusions, and I am sure you can not desire any but moral, good men to rule our country, and Mr. Clay is not such.

"Respectfully, your friend,

"ANDREW JACKSON.

"P. S. As I write with great difficulty, you will please to pardon all imperfections in diction that it may contain.

"A. J."

ANDREW JACKSON TO COLONEL GEORGE WILSON.

Charging Henry Clay with bribery.

"City of Washington, Feb'y 20th, 1825.

"Dear Sir:—The public journals will have given you the result of the Presidential election, and how it was brought about by the union of Clay and his friends with Mr. Adams. The predictions in part have been fulfilled. Mr. Clay, it is said, has been offered the office of Sec. of State, and it is also said he has agreed to accept it. This to my mind is the most open, daring corruption that has ever shown itself under our government, and if not checked by the people, will lead to open direct bribery in less than twenty years. For what is this barter of office for votes but bribery. Mr. Clay is prostrate here in the minds of all honest and honourable men. What will be his fate in Kentucky I cannot say, but Mr. Bibb, who is here, says this act will prostrate him in Kentucky.

"I received your letter and disposed of it as you had directed. I regret I had not it in my power to serve you, it will give me pleasure when occasion occurs. I can do nothing with your claim; had Mr. Dinker sent on his deposition I have no doubt but I could have got the account settled; I could have obtained a reference to the atty. gen'l. Had your statement or memorial been de-

posed to, I could have obtained a reference and the atty. gen'l's opinion; as it is, I will bring on your letter and memorial, and you can have them arranged and transmitted in the recess, and have the opinion of the atty. gen'l on it.

"Mrs. J. has been unwell for about three weeks. She is recovering, and I hope will be able to travel so soon as the Senate can rise. I cannot leave it until it rises, for the virtue of the Senate I have great hopes will prevent the consummation of those corrupt bargains for office.

"Mrs. J. joins me in respects to you, your amiable daughter and family, and believe me,

"Sincerely your friend,

"ANDREW JACKSON.

"Colo. George Wilson."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Describing condition of office seekers.

"Washington, May 16th, 1829.

"My Dear Sir:—Your kind letter of the 20th ult., has been some days before me. The great press of business has prevented me from attending to it sooner, and even now I can only say to you as it regards our mutual friend Mr. Gwinn, that he had better remain where he is until you hear from me again. There is more distressed people here, than any person could imagine who was not an eye witness to the various applications for relief. My feelings have been severely crowded by the various applications for relief, and as far as real charitable objects presented themselves, I have yielded my mite to their relief. Would you believe it, that a lady who had once rolled in wealth, but whose husband was overtaken by misfortune and reduced to want, and is, and has been an applicant for office, and well recommended, applied to me with tears in her eyes, soliciting relief, assuring me that her children were starving, and to buy them a morsel of bread she had to sell her thimble the day before. An office I had not to give, and my cash was nearly out, but I could not withhold from her half of the pittance I had with me. I name these things to bring to your view, that from the extravagance of this place, how small a prospect is \$1,000 per annum for the support of a family here, and the moment they are out of office, starvation presents itself to view.

"We have not had the leisure yet to make the necessary arrangements of reform, we are progressing, and such is the press for office, and the distress here, that there are for the place of messengers (for the Department) at least twenty applicants for each station, and many applicants who have been men of wealth and respectability. Still if our friend Gwinn wishes to come on here, when we finally organize the Departments, and turn out

the spies from our camp, I will preserve an office for him, but we are now having a thorough investigation into the situation of all the Departments, and the inquiry will be made how many, if any clerks, can be dispensed with.

"I wrote my overseer the other day on the subject of sending my mares to Mr. Stockholder. I would like to hear how many colts I have from Sir William. I learn that the Cotton mare, and Major Donelson's, has not proved with foal.

"In the day I am laboriously employed, and it is only when late in the night I retire to my chamber that I have time to think of, or write to, my friends. It is then I feel the great weight of the late affliction of Providence in the bereavement I have been visited with in the loss of my dear wife; I find myself a solitary mourner, deprived of all hopes of happiness this side the grave, and often wish myself at the Hermitage there to spend the remnant of my days, and daily drop a tear on the tomb of my beloved wife, and be prepared, when Providence wills it, to unite with her in the realms above. But Providence has otherwise ordered, and to His will I must submit.

"Present me affectionately to your amiable wife and family, and believe me your friend,

"ANDREW JACKSON.

"The Rev'd Hardy M. Cryer."

ANDREW JACKSON TO REVEREND H. M. CRYER.

On the political situation.

"Washington, May 20th, 1831.

"My Rev'd Friend:—I have received and read your private letter of the 11th ultimo with pleasure and regret, pleasure to hear that you and your family were enjoying usual good health and Providence was smiling upon and blessing you with plenty, regret to see in what a ridiculous situation my young friend placed himself by giving a voluntary certificate, unfolding a private conversation with his cousin, to aid a stranger in an angry quarrel with his relation, which if he thereby injures his cousin, it must lessen him in the eyes of the world. But it is sure to lessen Daniel in the eyes of all high-minded, honourable men, regardless of the effect it can produce on Mr. Burton.

"The course taken by A. J. Donelson and Daniel have filled me with much and sincere regret, but as they have interfered so improperly to injure Burton, I hope Burton may succeed, altho' I have every good feeling for Gen'l Hall.

"You will find from all the papers that the patriotic step taken by Mr. VanBuren and Eaton, are approved by all Republicans, whilst the old coalition, as well as the new, are astounded, confounded, and dismayed, and perfectly prostrated, all their plans destroyed. If my family and professed friends had remained faithful to me, and the great interests of their country, instead of

falling into the trap of the great intriguer, Mr. Calhoun, how much better for them, and gratifying to me. They have decided and withdrawn from me. I rest upon Providence and the good sense of the people for my support, and I am sure it is the best. The only thing to be regretted is, I am thrown upon strangers, on whom I have to rely, instead of those I took great pains in educating that they might be a comfort and aid to me in my declining years. I have hitherto had sufficient energy to pass thro' any and every difficulty that presented, and I still trust that a kind Providence will not forsake me in the severest trouble.

"My son will leave me on the 15th instant; he will call and see you; I will give him a memorandum as it regards the disposition of my stock, which I will thank you to give him your advice.

"I will thank you to write and inform me what effect the certificate of Dan'l Donelson has produced on the public mind, and how stands the canvass, &c., &c., &c.

"Present me kindly to your amiable lady and family, and believe me your friend,

"ANDREW JACKSON.

"The Rev'd. H. M. Cryer.

"P. S. I have no time to write to a friend, excuse my haste."

ANDREW JACKSON TO GENERAL JOHN COFFEE.

In the regard to the right of secession.

"Washington, Dec'b'r 14th, 1832.

"My Dear Gen'l:—

"Your letter of the 30th ultimo has been received, and its contents duly noted, and by tomorrow's mail a remittance will be made to you of \$15,000, being the unexpected balance of the appropriation for surveying the Creek Cession in Alabama, by the Secretary of the Treasury. This, divided amongst the surveyors, will meet the payment to their markers and chain men and the surveyors must await an appropriation for the balance.

"I am today informed by a letter purporting to be written by George Colbert, Tussomengo, &c., with their marks appended without a witness, that these chiefs have met and made another treaty, which they are coming on to have adopted in lieu of the one made by you. I cannot believe this to be true. I have sent the treaty to the Senate, and if there should be any difficulty, will apprise you of it, have it postponed, and request you to come on.

"Your dear daughter is well and doing well, and you may rest assured I will watch over her with a father's care. She shall want for nothing, and her prudence and amiableness of deportment will insure her the affection and attention of all. The family are all well; Mary will write you, which will be inclosed to you under cover of the envelope that incloses this, and to her I must refer you for the news of the place, as you will see from the proceedings of the nullifyers of the South, that I have enough to do.

"Can anyone of common sense believe the absurdity that a faction of any State, or a State, has a right to secede and destroy this union, and the liberty of our country with it, or nullify the laws of the union; then indeed is our constitution a rope of sand; under such I would not live. I have always thought ours was first a confederated government and perpetual union of thirteen sovereign and independent States, granting to Congress the power to declare war and make peace, make estimates of the amount of revenue wanted to carry on the revolutionary war, and apportion to each State its ratio; and not having the power to lay and collect taxes, it could only recommend to the States to do it, and make a requisition on the legislature of each State for its quota. Congress having no power to lay and collect taxes, or to regulate trade with foreign nations, it was found that our union was imperfect, and a constitution was proposed to the people, and in the language of the instrument, 'we the people to make a more perfect union, do ordain and establish the following,' &c., &c. This more perfect union made by the whole people of the United States granted the General government certain powers, and retained others; but no where can it be found where the right to nullify a law, or to secede from this union has been retained by the State. No amendment can be made to the instrument, constitutionally, but in the mode pointed out in the Constitution itself; every mode else is revolution or rebellion. The people are the sovereigns, they can alter and amend, and the people alone in the mode pointed out by themselves, can dissolve this union peaceably. The right of resisting oppression is a natural right, and when oppression comes, the right of resistance and revolution are justifiable, but the moral obligation is binding upon all to fulfill the obligations as long as the compact is executed agreeable to the terms of the agreement. Therefore, when a faction in a State attempts to nullify a constitutional law of Congress, or to destroy the Union, the balance of the people composing this Union have a perfect right to coerce them to obedience. This is my creed, which you will read in the proclamation which I sent you the other day. No man will go further than I will to preserve every right reserved to the people, or the States; nor no man will go further to sustain the Acts of Congress passed according to the express grants to Congress. The Union must be preserved, and it will now be tested by the support I get by the people. I will die with the Union.

"Present me to Polly and all your family, and believe me your friend. Write me where and what Hutchings is about.

"ANDREW JACKSON.

"Gen'l John Coffee.

"P. S. If you can come, it will give me pleasure to see you here."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Referring to the Opposition in Congress to His Views.

"Washington, February 20th, 1833.

"My Dear Sir:

"I have rec'd no letter from you since my return hither last fall, and I have been so much pressed with business that I had no time to write you. I have sent you some public documents, whether they have reached you I cannot say.

Altho' I have been re-elected by such an overwhelming majority, still, Congress has elected Gales and Seaton printers for the House of Representatives, and Green for the Senate, so you see Congress pays Gales and Seaton for abusing me for the last twelve years, and Duff Green for the last three. The marriage lately consummated between Clay and Calhoun, with the corrupting influence of the Bank, has corrupted Congress, and the people at the polls can alone correct it, by changing their representation in Congress. The newspapers will show you that Mr. Bibb, of Ky. and Poindexter, Moor and King, of Alabama, go with the nullifiers. There are more nullifiers here than dare openly avow it. These men will be good Jackson men at home with the people—but not enough, the people will call them, I trust, to an account, for there can be no nullifier that is not at heart a traitor to our happy constitution, and our union, upon which our own liberty, and that of the whole world rests. If we should fail, and our blessed union be dissolved, the civil wars, blood and destruction must be our unfortunate lot, and despotism will again triumph over the world. But my friend, the union shall be preserved, or I perish with it.

"I have just heard a rumor that the hero, Gen'l Dasha, has become an assassin, and has shot his nephew in the dark—do give me the facts of this case. I sincerely pity his depravity, but I knew he was a base man. I knew he would bear false witness against his neighbor, and when a man is thus depraved he is capable of any and every act that depraved human nature is capable. I knew from his conduct relative to Major Eaton, that he was a fit companion for Branch, Bibb, Ingham, Berrien, Daniel and Wycliff. A just providence will punish them all.

"Present me kindly to your amiable lady and family. Kiss my little Rachel for me, and believe me your friend. Write me.

"ANDREW JACKSON.

"The Rev'd Hardy M. Cryer."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Regarding the influence of the U. S. Bank.

"Washington, April 7th, 1833.

(Private)

"My Rev'd Friend:-

"Your kind letter breathing the true spirit of real friendship, with the much esteemed enclosures, has ben rec'd, and has been

lying by, from a continued press of business and feeble health, for a leisure moment to reply to them.

"The memento of the respect of our pious and aged friend, Bishop McKendra, has been gratefully received and perused with much delight, and Dr. A. Clark's letter, which he has been good enough to present to me, thro' you, shall be preserved with great care, and passed down to posterity. Present him with my thanks for it.

"Please accept the tender of my sincere condolence on the loss of your charming daughter Martha. Severe as this bereavement is, and tho' hard for human nature to meet with a proper resignation, still that Christian philosophy so clearly taught by our blessed Redeemer, will sustain you in this trying and afflicting scene. You as Christian parents, ought not to repine, but rejoice at parting with such a daughter, for you have a well grounded hope that she is only changed from this wicked world to that of peace, happiness and glory. This must be a balm to your sorrows, and you ought to be ready to say 'let us mourn for the living, not mourn for the dead.'

"I will present your letter to Major Eaton and his lady when the opportunity may occur, and when my son returns to the Hermitage will endeavor to send little Rachel something.

"The wicked projects of the leaders on nullification and secession are for the present, I think effectually, and, I hope, forever, put down. But the coalition between Clay and Calhoun, and combined as it is with a few nullifiers in Virginia, and Poindexter and his coadjutors in the South and Southwest, portends no good, but much evil, if the people could be misled, and become dupes to their heresies and wicked designs. This combination wields the U. S. Bank, and with its corrupting influence, they calculate to carry everything, even its recharter, by two thirds of Congress, against the veto of the Executive. If they can do this, they calculate with certainty to put Clay or Calhoun in the Presidency, and I have no hesitation to say, if they can recharter the bank, with its hydra of corruption, they will rule the nation, and its charter will be perpetual, and its corrupting influence destroy the liberty of our country. When I came into the administration, it was said, and believed, that I had a majority of seventy-five. Since then, it is now believed, it has bought over by loans, discounts, &c., until at the close of last session, it was said, there was two-thirds for rechartering it. It is believed that in the last two years, that it has loaned to members of Congress, and subsidized presses, at least half a million of dollars, the greater part of which will be lost to the Bank, and the stockholders. If such corruption exists in the green tree, what will be in the dry?

"Such has been the scenes of corruption in our last Congress, that I loathe the corruption of human nature and long for retirement and repose on the Hermitage. But until I can strangle this hydra of corruption, the Bank, I will not shrink from my duty,

or my part. I think a system may be arranged with the State Banks, for all the purpose of deposits, and facilities of the government in its fiscal concerns, which, if it can, will withdraw the corrupting influence now exercised over Congress by this monied institution, which will have a healthful effect upon the legislation of congress and its morals, and prevent the continual drain of our specie from the western states to the east, and to Europe to pay the dividends. I am now engaged in this investigation, and I trust that a kind superintending providence will aid my deliberations and efforts.

"You will please attend to my postscript and answer it. Present me kindly to Mrs. Cryer, and all your children, and kiss little Rachel for me, and believe me your friend,

"ANDREW JACKSON."

"The Rev'd H. M. Cryer."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Advising Him as to the Selection of a Second Wife.

(Private)

"Washington, October 29th, '33.

'My Dear Sir:

Your letter of the 15th instant has been received. I have read it with attention and hasten to reply.

The bereavement you have met with by the loss of your dear wife I can duly appreciate, and sincerely sympathize with you on the occasion. You are young and surrounded as you are with a helpless mother and two young children, one a daughter, who wants the superintendent care of a mother, I do suppose that none of your friends would advise you not to marry again, provided you shall make a discreet choice of one who would become in all respects a mother to your small children and do a mother's part by them. Your deceased wife had a sweet temper, in all respects with your own and you were a happy pair. Should you meet with such a temper and such a soul, then I would say to you, marry, because you would secure domestic happiness and find in the second wife a tender mother for your present children. There is danger in being disappointed in this. You are both young and may expect children by the second marriage. Suppose you are disappointed in her benevolent disposition, that she really becomes the stepmother to your children, becomes jealous of them, and instead of being a tender mother to them, becomes the real stepmother and maltreats them. What heartburnings must arise and end in domestic strife. Mark me, you want a mother for your children, and survey the temper, disposition, and all the traits of benevolence about the intended mother well, and then judge for yourself. Your happiness and that of your dear little ones depend upon the choice you make; if a prudent one, your and their happiness is secured; if disappointed in the disposition and benevolence, then your condition will be everything but contentment and happiness.

"But you say your dear wife, anticipating her exit, pointed to this lady as a mother to her children. This certainly ought to be consoling to you, provided your own judgment concur in the qualifications of the lady, as being by disposition, becoming in feeling and in practice, a real mother to your, as well as to her own children; but the judgment of a person on a dying bed, who has formed friendly attachment, may not be capable of viewing how changed one may become when placed in the situation of a real mother, when all their affections might be withdrawn from others and placed upon their own; therefore it is, that I draw your attention to the propriety of your judging for yourself, and if your conclusions correspond with your dear departed wife, you have a right to conclude, in following her advice, you are securing your own happiness, and obtaining a real mother for your motherless children.

You have a right to believe you have my friendship and my prayers that you may be as happy in your second as you were in your first choice; and you will be happy here and hereafter; for nothing can tend more to our prospects of future happiness than our domestic. I tender to my dear little Rachel J. a kiss. With my best wishes for your prudent and discreet choice, I remain your friend,

"ANDREW JACKSON.

"The Rev'd Hardy M. Cryer.

"P. S. I have been quite unwell, am mending, but a good deal debilitated." "A. J."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Congratulating Him on his Happy Marriage.

"Washington, February 10th, 1834.

"My Dear Sir:-

"Your very kind letter has been by me for some days without answer in consequence of bad health, and great press of business. I, with great sincerity, assure you the pleasure I feel in finding you so happy. I have no doubt but the piety of your companion will insure to your dear little ones from her, a mother's care, a tenderness, and that of, not as a stepmother, but a real Christian mother, who will watch over them with a real mother's care and tenderness. This must add much to your and your families' real happiness. I can only add my prayers that you may be as happy as I wish you all.

"On the subject of the colts, I can only say, that I had a great desire to have had the fillies trained last fall, that their merits might have been tested before they were put to breeding; being disappointed in this, I have directed my son to put them to my Citizen stud next spring. He has the management of them and if they could be trained early so that if they were not run on the public turf, they might be put to the horse in April. I suppose Andrew would like to have them trained. Will you call and see him on the subject, or request Mr. Mason, the trainer, to do so.

"I have three stud colts, two Bolivars and one Citizen, the last out of my Oscar filly, which will be two years old this spring, which I wish trained next fall, if I can get it done under a good manager. The Bolivars are, one out of the Virginian I got of you, the other out of a Pacotet and Partner mare I bought at Col. William Donelson's sale, which if the gentleman you name continues to train, I would like to make an engagement with him, if you continue to recommend him, and should you be passing the He mitage you would confer an obligation on me to call and examine these colts and give me your opinion of them, their appearance and promise for the turf. The colt of the Oscar filly by my Citizen was a fine colt, has got hurt in one hip, which may disfigure and injure him, but my son thinks not. I have great confidence in my Citizen as a stock horse, and wish to bring his colts early on the turf to make him valuable as a brood horse. Look at him and give me your opinion.

"Present me kindly to your lady and family and kiss little Rachel for me, and believe me your friend,

"ANDREW JACKSON.

"Rev'd H. M. Cryer.

"P. S. I send for your perusal Mr. Rives speech on the removal of the deposits. The mammoth of corruption is chained and will be destroyed."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Arraigning Hugh Lawson White, John Bell and Others on the Position Which They Had Taken.

"Washington, November 13th, 1836.

"My Dear Friend:

"I have the pleasure of acknowledging receipt of your very kind letter of the 30th ultimo. Situated as I now am it is truly grateful to receive a letter from an old friend. After noting its contents and perusing the various enclosures and noting them, I most heartily concur with you, that we live in days of personal and political changes, and I must add of depraved morals. Nothing but falsehood appears to be the weapons of our modern, new-born White Whigs of Tennessee in their late political crusade—White, Bell, Payton, Murry and Co. appear to have abandoned truth, and now when the election is over, do not wish to be held accountable for their falsehoods.

"It is wonderful that Mr. Murry should now wish to regain my confidence by endeavoring to retract what he said of me in his abusive speeches. But either Mr. Murry in his note to you, or his informant, has told a positive falsehood. There is no one, in truth, can say that I ever said you were present and heard Mr. Murry's speech. But I have said, and said so to Mr. Harris, Mr. Murry's brother-in-law, as I think a pure and good man, that Col. Jones

of Franklin, told me in your presence, and in the presence of several others, that he, Col. Jones, was present and heard Mr. Murry's and Mr. Payton's speeches; that they were both abusive and boisterous, and that Mr. Murry had called me, in his speech, an old dotard, and led by others, &c., &c., that he, Col. Jones, and some others had noted these speeches, and Col. Jones had promised to furnish me these notes in due time. I have no idea that Mr. Harris would misrepresent, but Mr. Claibourn has a confused mind, and is said will shoot at times out of a long bow. I will see Mr. Harris soon.

"I thank you for the enclosure. They add to the collection I have laid on file. Should I live to get home, a duty I owe to truth and the morals of society, will induce me to expose Judge White, Mr. Bell, Mr. Payton, Mr. Murry, and their falsehoods, so that the moral part and truth loving portion of the citizens of Tennessee may judge what credit can be reposed in those men, when they make assertions as to the acts and doings of others. I now believe that Judge White has been acting the hypocrite in politics all his life, and individually to me; that he is unprincipled and vindictive I have full proof; that he will wilfully lie, his Knoxville speech amply shows. I can forgive, and will, but I never can forget hypocrisy, or the individual capable of it. There is no character I abhor more than the liar and hypocrite.

"Pennsylvania, Maine, New Hampshire, Connecticut are all heard from and are all safe for Van Buren. New York and Virginia, although not all parts heard from, will give Van Buren large majorities. Ohio, as far as heard from, the Van Buren and Johnson ticket 1700 and odd ahead, but the result very doubtful. New Jersey votes on the 15th and Rhode Island, both thought to be sure, but the operation and power of the Banks are strong, have been powerfully used in Pennsylvania, and may operate in New Jersey, though our friends have no doubt of success. We have strong hopes from all information received that Indiana, Illinois, Missouri, Arkansas, Mississippi, Louisiana and Alabama are certain for the V. Buren and Johnson ticket; have strong hopes of both Georgia and North Carolina. But the die is cast, the votes in the ballot boxes, tho' not known here. We have a right to believe that Pennsylvania has carried a small majority in the convention. Tomorrow will give us the result, the electoral ticket sure.

"Major Donelson is with me, but will have to leave me in a few days to join Emily at home. I am very busy preparing my message before he leaves and must close. With my kind salutations to every branch of your family and a kiss to my dear little Rachel Jackson, and my constant prayers for your prosperity here and hereafter, your friend.

"ANDREW JACKSON.

"The Rev'd H. M. Cryer."

ANDREW JACKSON TO REVEREND H. M. CRYER.

Describing His Arrival at the Hermitage.

"Hermitage, February 5th, 1840.

"My Dear Sir:-

"I reached home on the 2nd instant. On our return we had to struggle for ten days and nights against the ice in the Mississippi. But by the energy of our Captain, Irwin, and his noble crew, and the smiles of a kind and gracious Providence, we reached Nashville on the first, where we were kindly greeted by numerous friends, and the whole Legislature in a body, and I am now reclining under the peaceful roof of the Hermitage with my dear little family, with improved strength, tho' labouring under a bad cold taken on board the boat amidst the ice, and somewhat increased since I got home by a little imprudence.

"I had the pleasure of meeting with an old friend, father Gwin, in good health, but dissatisfied with the lower country; has a wish to return and spend his last days in Tennessee if it meets the views of his wife, to whom he wrote by me. I made him an offer of Ward's place, now owned by my son and myself, which Dr. William Gwin said if his father selected, he would buy for him. I enclosed the letter to Mrs. Gwin, requesting to know her determination, as yet I have not heard from her. To have this good old man my neighbor in my declining life would be a great pleasure to me. If Mrs. Gwin desires to return below, then my dear friend, I wish your aid in procuring a purchaser of that fine tract of land for us. My son's situation is such that we must sell and any individual who can advance five thousand dollars or four thousand can now have a great bargain in that tract of land. It can be had, now, with an advance of \$5,000, for fifteen thousand dollars, and the balance at one, two and three years without interest; if not punctually paid, interest from the date, this to induce punctuality; and on an advance of six thousand dollars, it can now be had for fourteen thousand dollars, with the above credit and conditions. Would not any one who has money by such an investment make fifty per cent in a few years? Yea, the moment the present pressure passes away this tract will command thirty dollars per acre. This I well know, but a little imprudence has caused this necessity, and I would always sacrifice property, than the credit of my adopted son or myself, therefore, the sacrifice of this fine tract is to be made. Would not Col. Elliott invest his money in such a certain and sure profit as this purchase would insure? My dear sir, furnish me a purchaser on the above terms and the premium offered will be yours. This sale will free us from debt and the fine plantation below will pay for itself and net a surplus, and my Hermitage must sustain my expense. I will live within my means, and my son from his paid for experience, I am sure, will never be indebted again when clear of his present difficulties. Therefore, my dear sir, it is that I am so solicitous to make the sacrifice and sale of the land to

get him clear of debt and myself from his liabilities. Have the goodness to write me soon, and inform me of the prospects of a sale, or, of any offers made and where an advance of five or six thousand dollars will be made. Should your business lead you to Nashville, call and give me a night. With my kind regards and that of my little family to you and yours, expecting in due time the promised visit of you and family, I remain your friend,

"The Rev'd H. M. Cryer."

"ANDREW JACKSON.

ANDREW JACKSON TO R. I. CHESTER, ESQ.

In Regard to His Failing Health and Bodily Afflictions.

"Hermitage, April 9th, 1840.

"My Dear Sir:

"Your two letters of February the 15th and 29th have been received and been some time before me, and I have no excuse to offer for my delay in answering them only the difficulty with which I write, and a few letters received that require my first and special attention, and my checked health. I have been much afflicted since my return from below with pains in my head and ears, that has injured both my vision and hearing, and incapacitates me at times from being able to write; this is my excuse for not acknowledging your kind letters sooner.

I congratulate you and your dear Elizabeth on the birth of a fine daughter. Accept of my prayers for its long life and good health; that it may be an ornament to its sex, and a blessing to you both in your declining years. Kiss the dear babe for me, and present it with my blessing.

It will give me great pleasure to visit you and my other friends this spring, health permitting. Governor Polk has promised to go with me, of which I will write and give you due notice. Since I lost my friend Earle, I have no person to travel with me, Andrew having so much to attend to, and we cannot both be from home at once.

"Gen'l Hays knows how difficult it is for me now to write; say to him, with all our kind regards to him, his lady and family, how much pleasure it would give me occasionally to receive a letter from him.

"Present our kind salutations to Dr. Butler and his family, to Mrs. Hays, Mrs. Butler, and their families, and to Mr. Patton and his, and to Mr. Bowling and his, and to all other friends there, and say to them how much pleasure it will afford me to visit and see them all once more.

"Andrew and Sarah join me in kind regards to you, your dear Elizabeth and children, and believe me your friend, sincerely,

"R. I. Chester, Esq."

"ANDREW JACKSON.

"P. S. It gives me great pleasure to hear that Huntsman has taken the field and that you will give the Whigs a sure defeat this fall, be it so."

The R. I. Chester to whom this letter was addressed was Colonel Robert I. Chester, who, for half a century, held a high and honorable place in the public life of Tennessee. Chester County, Tennessee, was named for him. He was born in Carlisle, Pennsylvania, July 21, 1793, and, when a youth, moved with his parents to Jonesboro, Tennessee, and there attended school. He served in the War of 1812 as Quartermaster of the Third Tennessee Regiment. From 1825 to 1833 he was Postmaster at Jackson, Tennessee, where his home was. In 1835 he went to Texas, and General Sam Houston gave him an appointment as Colonel in the War of Texas' Independence, and at the close of the war he returned to Jackson, where he held the respective positions of Postmaster, Land Register for West Tennessee and United States Marshal for West Tennessee. He was a member of the Tennessee Legislature in 1870 and again in 1872. His first wife was a niece of Mrs. Andrew Jackson. He died in 1891.

In 1884 the Electoral College of Tennessee met in the Governor's office in the Capitol at Nashville, to vote for Grover Cleveland for President and Thomas A. Hendricks for Vice-President. The author was a member of the College as a representative of the Second Congressional District of Tennessee, and was elected Secretary. When the time came to elect a Messenger to carry the vote of the College to Washington to deliver to the President of the United States Senate, Colonel A. S. Colyar, of Nashville, escorted Colonel Chester into the meeting, arm in arm, and addressed the College in his behalf, and wound up by demanding with a great flourish that Colonel Chester, whom he pronounced the youngest candidate for Messenger (Colonel Chester was only eighty-one years old at the time), should be elected and all other candidates should withdraw in his favor. Whether because of Colonel Colyar's eloquence, or Colonel Chester's age, or for some other reason, Colonel Chester was elected Messenger, and, before going to Washington, he visited Grover Cleveland, Governor of New York and President-elect of the United States, who received and entertained him with distinguished consideration.

It was the duty of the Secretary to assemble and seal in one envelope, addressed to the President of the United States Senate, the proper certificates of the vote of the College, for whom the vote was cast and all official proceedings, which was done, but by oversight and inadvertence, the Secretary included in this sealed envelope a certificate that Colonel Chester was the regularly ap-

pointed Messenger of the College, and the oversight was not discovered until he arrived in Washington to deliver his envelope, when, without any certificate that he could show he was unable to draw his pay as Messenger from the Sergeant-at-Arms, or, to officially prove to the Senate that he was authorized to deliver his envelope, but the situation was gotten around, so far as the envelope was concerned, by placing it on file to await the proper certificate to be forth-coming. It is not difficult to imagine that the Colonel was, in a good humored way, joked about being unable to prove that he was a lawful Messenger of an Electoral College, and, it is also not difficult to imagine the Colonel making the reply that the Secretary of the Tennessee Electoral College was an adept in sealing up papers the wrong way. On his return to Jackson, Colonel Chester came to Knoxville, the author's home, where he was furnished the proper certificate, upon which he was able to draw his mileage and identify himself before the Senate of the United States. The author made the best apology he could, a very lame one, namely, that it was an act of inadvertence, which apology the Colonel accepted with his usual courtly manner.

At this time, although eighty-one years of age, he was as straight as an Indian, and had all the appearance of a man of about fifty. In his movements he was alert, active, and in manner, a Chesterfield.

Vast quantities of water have run under the bridge in the thirty five years between the meeting of the Electoral College of Tennessee in January 1885 and January, 1920, when this is written, and during that whole period, Colonel Chester, in a group picture of Electors has looked down from its place on the wall in the author's law-office, and is looking now when these words are set down to perpetuate his memory.

CHAPTER 35.

John Overton, John Coffee, W. B. Lewis and A. S. Colyar.

No history of Andrew Jackson would be complete, whether as elaborate as Parton's, with its two thousand pages, or compressed into half that number, that did not contain some statement of the lives and careers of John Overton, John Coffee and William B. Lewis, who were Jackson's lifelong devoted friends and confidential advisers, and of Col. A. S. Colyar, who published Jackson's biography in 1904. The friendship of the first three was so extraordinary, loyal and unbroken, that it can be safely said there are few parallels in American history, while Col. Colyar's biography makes a very strong plea of greatness for Jackson.

JUDGE JOHN OVERTON.

John Overton was born in Louisa County, Virginia, April 9, 1766, and Jackson was born in 1767. Overton acquired a good education, probably considerably self-taught. It appears that he taught school for a period, and with the proceeds of his teaching bought books, which would argue that his family were not people of very much means. He, himself, was too young to enter the Revolutionary War, but he had two older brothers who were soldiers under "Light-horse Harry Lee."

Overton moved to Kentucky where an older brother was then living, and he entered the practice of law, but the date of his going to Kentucky we do not know. Land titles at that early day were the chief staple of litigation, and young Overton entered promptly and thoroughly into that branch of law, and appears to have acquired the confidence as a land lawyer of those who knew him. Judge John M. Lea, now deceased, formerly of Nashville, a son-in-law of Judge Overton, tells us that while in Kentucky, young Overton, often called into requisition as a land surveyor, the services of Daniel Boone who had founded Kentucky, and opened that great State to the entrance of the white man's civilization.

From Kentucky Overton moved to Nashville, where he arrived in the autumn of 1789, apparently with considerable means for a man who had been a practicing lawyer for so short a time. Autumn of 1789 is the practically accepted date, though disputed by some, on which Andrew Jackson arrived in Nashville; but, whatever the date of his arrival, he and Overton became friends at once, and both boarded with the widow Donelson, the mother of the future Mrs. Andrew Jackson, and had their office and sleeping apartments in a cabin near the cabin in which Mrs. Donelson and her daughter lived. From 1789 to 1804 John Overton pursued his profession in Nashville, and down to that time he had held no public office whatever, except the position of Supervisor of Revenue, under a commission from George Washington. In June 1804, Andrew Jackson, who had been one of the judges of the Superior Court of Tennessee, resigned, and in July following John Overton was appointed in his place, and by that appointment started a career as a judge that did not end until 1816. He held the position until the Superior Court was abolished by act of the Legislature taking effect January 1st, 1810, and in 1811 he was appointed by the Legislature one of the judges of the Supreme Court of Errors and Appeals, which succeeded the Superior Court. He succeeded David Campbell in the Supreme Court of Errors and Appeals, and served upon that bench five years, until April 11, 1816, when he resigned, and was succeeded by Robert Whyte, who was elected May 22, 1816. While a judge of the Superior Court, Judge Overton's associates on the bench were David Campbell, Hugh L. White, Thomas Emmerson, Samuel Powell, and Parry W. Humphreys. His associates in the Supreme Court of Errors and Appeals were Hugh L. White, W. W. Cook, and Archibald Roane.

During his career on the bench Judge Overton is credited through his opinions with laying the foundation of the Land Law of Tennessee. His decisions have stood unreversed and as recognized authority since that time. All the authorities who write about him, eulogize him as one of the finest judges of that period, and agree that his opinions are characterized both by learning and ability, as well as the most patient care that he gave to every case coming before him for investigation and adjudication. His mental qualities seem to have been exactly such as to fit him for a judicial position, and, with it all, he was absolutely fair, just, honorable, patient, and courteous, and left

behind him a name that his descendants can very justly boast of and applaud.

All branches of law in Tennessee were in a formative period while Judge Overton was on the bench, and it is generally thought that the great burden of litigation was land cases, but this is denied by no less an authority than William F. Cooper, who was for eight years Chancellor of the Chancery Division in which Nashville, his home, is, and was for eight years a judge of the Supreme Court of Tennessee, from 1878 to 1886. Judge Cooper edited and published a new edition of Tennessee Reports, and in the preface to this edition, written July 6th, 1870, says:

"The value of our earlier decisions, owing, no doubt, to the rarity of the volumes of late years, has been greatly underrated. 'There were giants in those days', both at the bar and on the bench, and the important cases were argued with great ability, and usually decided correctly."

"There seems to be an impression that our earlier books are filled with land cases, of great moment in their day, but of little use at present. This is a mistake, as will be obvious to any one who considers how small a part of our Digests, even of Mr. Meigs's admirable Digest, who lingered over these cases with a fondness that belonged to a past generation, is thus occupied. The number of land cases bears no proportion to the number of cases in other branches of the law. Besides, many of these cases, even where they turned upon points of purely local legislation, embrace questions of practice, evidence and general principle still of daily use."

TENNESSEE COURT SYSTEMS.

In the first volume of Overton's Tennessee Reports, the following history is given of the different Court systems of Tennessee:

"The first judicial system in this State, for the final decision of causes, was known as the District, or Superior Court system, which went into effect in April, 1796, and was composed of three judges until the fall of 1807, when another judge was added. This system continued until January 1st, 1810—when a Court of Errors and Appeals was established, consisting at first of two judges; afterwards, in 1815, increased to three judges; again, in 1823, to four judges, and in 1824 for a few months, to five; then reduced to four again, which continued to be the number of judges until the courts were reorganized under the Constitution of 1834. During the entire period, with the exception of the period from 1831 to 1834, and subsequently under the Constitution of 1834, the judges were of equal grade, without any chief justice or presiding officer. In 1831 the Legislature created the office of Chief Justice, and elected the Hon. John Catron, one of

the then justices, to that position. By the Constitution of 1834, the court of last resort was styled the Supreme Court, and the designation is repeated in the Constitution of 1870. Under the Constitution of 1834, the court was composed of three judges."

The first and second volumes of Tennessee Reports are known as "Overton's Reports"—Judge Overton, Jackson's friend. But, as a matter of fact, Judge Overton did not publish these reports. They are two volumes, the first having 535 pages, and the second 436 pages, and in the two there are 596 cases reported. The title of the volumes is as follows: "Tennessee Reports or Cases Ruled and Adjudged in the Superior Courts of Law and Equity and Federal Courts for the State of Tennessee. By John Overton, late one of the Judges of the Superior Courts of Law and Equity, and now one of the Judges of the Supreme Court of Errors and Appeals in that State." In an advertisement prefixed to the report Thomas Emmerson, who was one of the judges of the Superior Court with Judge Overton, makes this statement:

"Having been presented by Judge Overton with the cases collected by him while at the bar and on the bench of the late district courts, the editor, in compliance with the earnest and repeated solicitations of many gentlemen, both of the bench and bar, now submits a portion of them to the public in their original dress, deeming it unsafe to venture on any alteration, lest thereby a different view of the cases might be presented."

Following this comes this endorsement:

"We, the undersigned do approve of the publication of cases entitled 'Tennessee Reports, or cases ruled and adjudged in the Superior Courts of Law and Equity, and Federal Court for the State of Tennessee,' taken and collected by John Overton, one of the Judges of the Superior Courts of Law and Equity for that State; believing such a publication will contribute in the highest degree to the peace and happiness of society, by ascertaining legal principles.

(Signed)

"David Campbell,
John M'Nairy,
Jos. Anderson,
Archibald Roane,
Willie Blount,
William C. C. Claiborne,
Ho. Tatum,
Andrew Jackson,
H. L. White,
Samuel Powell."

So came into existence the two volumes of Overton's Reports. Many years later an Attorney General for the State was appointed, who printed the decisions of the Supreme Court, and these printed reports now aggregate 136 volumes, and they cover every phase of judicial opinion in the development of the State of Tennessee, beginning with pioneer days, going through the period of the Battle of New Orleans and of the Mexican War and of the Civil War, down to 1917, a space of one hundred and twenty-one years, during which years Tennessee has had three Constitutions, that of 1796, that of 1834, and that of 1870.

OTHER LABORS.

But Judge Overton's career was not confined to the practice of law or his services upon the bench. I have referred in the chapter of this book on Memphis to his being the founder of that city, and have there told something of that achievement on the part of him and his associates. Eminent as his professional and judicial services were, and lasting as will be his memory as the founder of Memphis, I hold to the opinion that future generations will place his niche in the temple of fame higher because of the fact that he was practically the discoverer and largely the developer of Andrew Jackson as a presidential possibility, and that he did as much to bring about the election of Jackson as President as any other one man in America, and that whatever of good Jackson accomplished for the American people, Judge Overton is entitled to participate in and share.

The friendship between the two men began, as heretofore stated, in 1789, when they both first came to Nashville.

I feel that the reader will pardon my quoting in full two very handsome tributes paid to Judge Overton by Colonel J. M. Keating, deceased, for many years editor of the *Memphis Appeal*, in his "History of Memphis":

"They were the complement of each other; they had settled in Nashville about the same time (1789) and were immediately drawn into a friendship as earnest and enduring as that of the fabled Damon and Pythias. When the fierce and vindictive opponents of Jackson invaded the sanctity of his home and attempted to besmirch the character of one of the most chaste, noblest, truest, and most sensitive of women, John Overton, with a reputation without a stain, and that had never been questioned, went to the aid of his friend with the beautiful gift of a strong attachment, the sincerity of which had never been marred by a favor

asked for, or received. He promptly defended Jackson, and in a clear and forcible statement attested the moral purity of his friend amid all the demoralization and temptations of frontier life, and bore witness to the purity of that wife, the loss of which left Jackson afterwards a bankrupt, indeed. The friendship of these men for each other is one of the most touching episodes of their time in Tennessee. Overton was a close student, loved books, and surrounded himself with all of those evidences of culture that are the resources of intellectual and refined natures. He was a man of the closet, Jackson a man of action. In the words of one who knew them well, 'each regarded the other as supreme in the role in which he essayed to act.' "

Before his death, Judge Overton's loyalty to Jackson was such that he destroyed the hundreds of letters that Jackson had written to him upon every subject of public affairs, and he sent word to Jackson that he had done this.

When the time came around for Jackson to be a candidate a second time for the Presidency, Colonel Keating says:

"To be re-elected was to be endorsed by the people; to be defeated, was to be condemned. It was not, therefore, a time for men to play fast and loose, even in a little frontier town where the voters were few, and their effect upon the national destiny must be trifling, if anything. The force of example counted for much in such an emergency, and Overton, who was the first, perhaps, to mention the Presidency to Jackson, was determined, in the teeth of declining powers of mind and body, to second and sustain the man he admired, and to secure him the coveted endorsement of the people whom he had served with a singleness of purpose and unselfish fidelity. There is no other and similar example of friendship such as here laid bare, in the whole range of American history. Judge Overton was a man who, by right of ability and social position might have aspired to any place in the gift of the American people, but he preferred his friend, even to himself, and he spoke, and wrote, and worked for him to the latest day of his life."

The most critical period in Andrew Jackson's career, after the battle of New Orleans, was the investigation by Congress of his actions in Florida, which involved the execution of Ambrister and Arbuthnot, and about which the politics of the day were hot and bitter. Henry Clay made probably the greatest speech of his life in his denunciation of Jackson in this matter, and then it was that Judge Overton came to the relief of his friend, and over the signature of "Aristides," published a very able defense of Jackson both under the law of nations, as well as the

peculiar circumstances surrounding Jackson in Florida. Jackson was triumphantly acquitted, but the efforts of none of his friends, in either the Senate or the House, approached in strength, power, cogency, learning, and ability, the defense made by Overton.

Having been triumphantly vindicated by Congress, Jackson became even more popular than he had ever been since his victory at New Orleans.

In closing this sketch of Judge Overton, I feel that his firm affection for Andrew Jackson should, if possible, be laid before the reader in his own words. To that end is quoted in full a letter by him to his nephew, who had accompanied General Jackson to Florida as a part of his family, and who, on account of ill health, had determined not to return to Tennessee. This letter has been published but once, and that in a paper on Judge Overton by Judge John M. Lea, read before the Tennessee Bar Association at its meeting at Lookout Inn, Chattanooga, in July, 1891.

"Nashville February 23, 1824.

"My dear Nephew: Yours of the twenty-fifth inst. has been received, and I am gratified that you are regaining your health.

"Our inestimable friend, General Jackson, is rising rapidly throughout the Union. The Enquirer, of Richmond, has softened its tone, and admits that Jackson is the strongest man of the South and West, and even the Intelligencer publishes short things in his favor. My dear young friend, you can judge how gratifying it must be to me in my declining years to reflect upon the course I have taken in regard to this man. Previously to the sitting of the Legislature in 1821, it forcibly struck me that he ought to be the next President, and by proper means might be made so. To prepare the public mind, pieces were thrown out in Wilson's paper. They were thought lightly of, but that made no difference with me. The Legislature met, and then I communicated to a leading member my views, which he gave into, communicated them to Grundy, who at first seemed a little surprised, but gave into the measure of recommending him by our Legislature, which was done unanimously. The resolutions were preceded by a speech which I wrote for a member. Caucusing was denounced, and Jackson's case put directly to the people of the United States. The Nashville resolutions I drew persevering in the same line of thought. They were well received, and followed step by step in Pennsylvania and Maryland, and even New York is now struggling to adopt the same. In all this I declare to you I never mentioned one word to Jackson. He knew as little about it as he did when his defense of the Seminole campaign commenced by the publication of "Aristides," which

arrested the impending fatal stroke. Thus it is that in all ages the real and sufficient causes of the greatest events are ever hid even from the impartial and scrutinizing historian. We commenced our career together, we slept, eat, and suffered together, and I always entertained the same view of his talents and character, and I have the consolation to think that I have never been mistaken in him. What opinion he entertains of me, I know not. I have my part to play, marked out, I believe, by Providence, and he has had his part and it may seem strange, but it is true, that we have never consulted as to any preconcerted plans in all our lives.

"We all want to see you, and rest assured that Jackson is nearly certain of being President. Your relation.

"JOHN OVERTON."

GENERAL JOHN COFFEE.

The Legislature of Tennessee honored the memory of General John Coffee by giving to Coffee County his name, but this honor is known to but comparatively few people in Tennessee. General Coffee was worthy of a greater honor than having a county named for him, and it is not creditable to Tennesseans that one of the finest characters in the State's history is rapidly progressing towards utter forgetfulness. In reviving the name and deeds of General Coffee, the Tennessee Historical Society, through its President and its publication, "The Tennessee Historical Magazine," is doing a great and patriotic service. In the December, 1916, number of the magazine, the letters of General Coffee to his wife, written in the years 1813-1815, with an introduction by President John H. DeWitt of the Historical Society, are published, which bring vividly before us Jackson's cavalry leader; and from this source and other sources consulted in making up this sketch, we learn some interesting facts of his life.

General Coffee was a Virginian by birth, born June 2, 1772, and died July 7, 1833, on his farm about three miles north of Florence, Alabama, where he is buried. His father moved from Virginia to North Carolina, and served in the Revolutionary War from that State.

In April, 1798, John Coffee and his mother settled on the Cumberland River a few miles from Nashville, where he followed the occupation of merchant and surveyor. He was considered a well educated man for that day. He married Mary Donelson, a niece of Mrs. Andrew Jackson. This marriage naturally brought about a friendship between Coffee and Jackson, a friend-

GENERAL JOHN COFFEE



MRS. JOHN COFFEE



ship that never wavered down to Jackson's death. They were partners in business, but the venture was not successful, and in 1807 Coffee retired from the mercantile business and went back to surveying. On his marriage to Mary Donelson in October, 1809, Captain Donelson gave his daughter a farm on Stone's River, in Rutherford County, and there they lived all through his military service, and until he left Tennessee and went to Alabama in 1819. While living in Rutherford County, General Coffee was elected Clerk of the County Court of that County. Mrs. Coffee died in December, 1871, and was the mother of ten children:

Mary Donelson Coffee (1812-1839), who married Andrew Jackson Hutchings; John Donelson Coffee (1815-1837), who married Mary N. Brahan; Elizabeth Graves Coffee (1817-1838); Andrew Jackson Coffee (1819-1891), who married Elizabeth Hutchings and was an officer in the war with Mexico; Alexander Donelson Coffee (1821-1901), who was first married to Ann E. Sloss, then to Mrs. Camilla Madding Jones; Rachel Jackson Coffee (1823-1892), who married A. J. Dyas; Katherine Coffee (1826-1881); Emily Coffee (1828-1829); William Coffee (1830-1903), who married Virginia Malone; Joshua Coffee (1832-1879). Alexander Donelson Coffee and William Coffee were officers in the Confederate Army.

He entered military service in 1812. In 1806 he fought a duel with McNairy, growing out of his friendship for General Jackson. His military career as a cavalry leader is one of the best to be found in the cavalry service of any country.

During his military service he wrote many letters to his father-in-law, Captain John Donelson, which are preserved in the Tennessee Historical Society, and were published in the American Historical Magazine for the month of April, 1901. Mrs. A. D. Coffee of Florence, Alabama, and Robert Dyas, of Nashville, General Coffee's grandson, and son of Mrs. Rachel Coffee Dyas, furnished to the Tennessee Historical Society the letters of General Coffee to his wife, Mary. These letters to his wife make delightful reading, and exhibit a brave, true, strong man putting upon paper his devoted affection for the wife and child, who plainly are to him the dearest objects upon earth. General Jackson said of John Coffee that he was a great military commander, but was so modest that he did not know it. Coffee's first military experience was with the Natchez Expedition in

1812, led by General Jackson, which was countermanded by the Secretary of War, and Jackson ordered to disband his troops at Natchez, Mississippi, which he refused to do, and marched them back of Tennessee and disbanded them in the City of Nashville. It was in the year 1812 that Coffee raised a troop of cavalry numbering six hundred and seventy, of which he was elected Colonel, to go with Jackson's army. Coffee's regiment assembled at Franklin, and made the overland route to Natchez, starting January 19, and arriving at Natchez February 16. We feel, in studying the life and career of General Coffee, like we were taken back to the Homeric age when men of great size and physical strength and dauntless courage were actors, and whose deeds great blind Homer has sent down to us more than two thousand years, and which we to-day admire as greatly as did their contemporaries. Coffee and his cavalry were the ever reliable right arm of Jackson; they never failed, they never quailed; at command they were up and moving, and never stopped until the conquest was complete. Seeing him in action, one would be moved to cry:

"This indeed is Ajax,
The bulwark of the Greeks!"

That Jackson loved him, and he loved Jackson, history amply proves. In a letter to the author dated December 6, 1917, Robert Dyas, the grandson above referred to, says:

ROBERT DYAS TO THE AUTHOR.

"Dear Sir:

"My friend, Mr. DeWitt, has sent me your letter of December 1st, and it gives me pleasure to answer your inquiries to the best of my ability.

"A copy of Colyar's Life of Jackson is not available here, and I do not recall whether the epitaph of Gen'l Coffee is quoted correctly or not, but my impression is that it is. In a few days I can send you a correct copy, but I will have to write to Florence, Ala., for it.

"General Coffee's monument stands in the family burying ground about three miles north of Florence—it is in a perfect state of preservation—and I will also send you a photograph of it.

"Yes—General Jackson wrote the epitaph. I have in my possession the original in the handwriting of the General himself. I cannot tell you the circumstances under which it was written or just when, nor can I say just when the monument was erected, but I presume it was done shortly after his death. From many papers in my possession it is very evident that the two men were



Tomb of General John Coffee near Florence, Alabama.

close personal friends before the occurrence of the stirring events that gave such fame to both, and before General Coffee married a niece of Mrs. Jackson. It is to be presumed that this close personal friendship and intimate association led to the writing of the epitaph. As an evidence of the great affection General Coffee had for General Jackson, two of his children were named for the General and his wife, Andrew Jackson Coffee and Rachel Jackson Coffee.

"General Jackson willed to Andrew J. Coffee the sword presented to him by the city of New Orleans, and you have no doubt read the will. His admonitions to the young man are well worth re-reading just at this time when such stress is being laid on patriotism. You will be interested in examining the original on file in Davidson County.

"Anne Royal published 'Letters from Alabama' in 1818, and the only copy I know of belongs to Mr. J. S. Walker, of Nashville. He has let me have it for a time, and it is in a safe in Florence just at present. No doubt he will be glad to let you have it if you so desire. I will return it in a few days.

"If I can assist you in any way it will give me pleasure to do so when called on.

"Sincerely,

ROBERT DYAS."

We would like very much to know when, and how it came about, that General Jackson wrote the great epitaph on Coffee's tombstone. We can imagine no finer tribute that he could have paid the old cavalry leader.

"Sacred to the Memory of
GENERAL JOHN COFFEE,
Who departed this Life
7th day of July 1833,
Aged 61 years.

"As a husband, parent and friend, he was affectionate, tender, and sincere. He was a brave, prompt, and skillful general; a distinguished and sagacious patriot; an unpretending, just and honest man. To complete his character, religion mingled with these virtues her serene and gentle influence, and gave him that solid distinction among men which detraction cannot sully, nor the grave conceal. Death could do no more than to remove so excellent a being from the theater he so much adorned in this world, to the bosom of God who created him, and who alone has the power to reward the immortal spirit with exhaustless bliss."

We are interested in knowing the personal appearance of the man as an acquaintance might describe him, and fortunately, we have just such a description by Anne Royal, in a book written in 1818 from Huntsville, Alabama, and entitled "Letters from Alabama." Mrs. Royal says:

"Last evening I had the pleasure of seeing the renowned soldier and companion of General Jackson. This hero, of whom you have heard so much, is upward of six feet in height, and proportionately made. Nor did I ever see so fine a figure. He is thirty-five or thirty-six years of age. His face is round and full, and features handsome. His complexion is ruddy, though sunburned; his hair and eyes black, and a soft serenity suffuses his countenance. His hair is carelessly thrown one side in front, and displays one of the finest brows. His countenance has much animation while speaking, and eyes sparkle, but the moment he ceases to speak it resumes its wonted placidness, which is a characteristic of Tennesseans. In General Coffee I expected to see a stern, haughty, fierce warrior. You look in vain for that rapidity with which he marched and defeated the Indians at Talleschatches, nor could I trace in his countenance the swiftness of pursuit and sudden defeat of the Indians again at Umuck-faw, much less his severe conflicts at the head of his men at New Orleans. He is as mild as the dewdrop, but deep in his soul you may see very plain that deliberate, firm, cool, and manly courage which have crowned him with glory. He must be a host when he is aroused. All these Tennesseans are mild and gentle, except when they are excited, which it is hard to do; but when they are once raised, it is victory or death."

MAJOR WILLIAM B. LEWIS.

After the Battle of New Orleans when General Jackson first began to be talked about as a Presidential possibility, to March 4, 1829, when he was inaugurated President, no man had more to do with bringing that inauguration about than William Berkeley Lewis. From March 4th, 1829, to March 4th, 1837—two full Presidential terms—no man in America had more to do with shaping the views, utterances and line of action of Andrew Jackson, than this same William Berkely Lewis; and thereby hangs the intensely interesting story of the career, ability and devotion of Jackson's chief quartermaster in the Creek War, his lifelong, confidential friend—in fact, his other self. The career of Major Lewis is probably the only one of its kind in our history.

A Virginian by birth, his home in Tennessee was two miles from Nashville, on the road to the Hermitage, where he had a fine estate. He was one of the best educated men of his day in Tennessee, and was devoted to Jackson not only politically but personally. He was a brother-in-law of John H. Eaton, United States Senator from Tennessee and Secretary of War in Jackson's cabinet, they having married sisters. Of no other man in history



MAJOR W. E. LEWIS

Jackson's friend and adviser. From picture furnished the author by Honorable T. A. E. Weadock,
formerly a member of Congress from Detroit, Michigan.

can it be more justly said that loyalty to his friends was the key to his whole life and character; of no other man can it be more truthfully said that with opportunities of personal advancement that could have brought him any political preferment in Tennessee he might wish, he was content to remain in the background, working unseen, unheard by the public, but with an effectiveness and power that would have been astounding had they been made fully known.

If what Major Lewis wrote was blotted out of Jackson's life and career, there would be gaps and chasms in the history of that career that could not be filled by the writings of any one else, and without which many things connected with Jackson and his life could not be understood.

General Jackson's trust in Major Lewis was perfect, his dependence upon him in very many ways complete, and as a result, no one had more influence over him. Politicians behind General Jackson, his personal and confidential friends, called his "Kitchen Cabinet," had an easier task than such friends behind great leaders usually have, which is to cultivate popularity for their leader, and see that it is permanent and trustworthy. In Jackson's case his popularity did not need cultivating—it sprang full-grown, robust and aggressive, out of the battle of New Orleans, and lived on and crushed all opposition until the old leader closed his eyes and passed across the border at six o'clock in the afternoon of June 8th, 1845. All the "Kitchen Cabinet" had to do was to see that nothing occurred so monstrously or phenomenally bad that would revolutionize the sentiment for, or kill the popularity of even "Old Hickory." It got to be a saying in Jackson's day that his popularity would stand anything, and it is a fact that at no time after he got fully started on his career, did the friendship of the great mass of the people cease or even show signs of waning.

Major Lewis' intellectual equipment, temperament, and diplomatic sagacity were the perfect complement of the Jacksonian qualities, and the two together, working in thorough harmony and understanding of each other, constituted about as ideal a combination to insure political success as could be conceived. Lewis was always brainy, thoughtful, thorough in knowledge of facts, parliamentary in discussion and retort, but firm and unwavering, and with the keen ear and sense of an able and astute

politician as to what would do, and what would not do for emergencies and measures as they arose.

Jackson's first message was written at Major Lewis's home, in a conference of the General, Major Lewis, and Henry Lee, and was changed very little from the first draft of the message when they all got to Washington for the inauguration.

When the opposition newspapers made their various onslaughts on Mrs. Jackson and her marriage to the General, it was the alert and able William B. Lewis who was sent to Natchez, then called "the southern country," where the first marriage took place, to collect the testimony of witnesses as to conditions and circumstances there connected with the marriage, and as to the lives led by General and Mrs. Jackson there both before and after the marriage. This mission, important, delicate and necessary, in view of the newspaper charges, occupied six months, and Major Lewis' report was made the basis of the defense and answer by General Jackson and the organization of the Democratic party; and Mrs. Jackson was very cordial and grateful to him in the expression of her thanks for the great service rendered her under such embarrassing circumstances.

After the inauguration, when the Major proposed to return to Tennessee, General Jackson would not hear of it, and insisted not only upon his remaining in Washington, but that he take up his residence as one of the family at the White House, which he did. He was appointed by the General an Auditor of the Treasury.

In all those emergencies where absolute fidelity, sound judgment and perseverance were required, Major Lewis was Jackson's selection to take them in hand, and Lewis never faltered or hesitated, and was very rarely unsuccessful in their management. When things looked gloomy in the Creek War, and the army was not half fed, it was Lewis who was sent back to Tennessee to raise and forward supplies, which he accomplished to Jackson's satisfaction.

But it was on his deathbed where Jackson's dependence on Major Lewis was most clearly shown. General Jackson's death occurred about six o'clock in the afternoon, and Major Lewis got there only a few hours before, and Jackson said to him: "Major, I am glad to see you, you had like to have been too late," and the Major remained with him until death came. No one would expect one of Jackson's character, career and great an-

tagonisms, where the extreme loyalty of friends was indispensable, to die without sending farewell messages to some of those loyal friends, and such messages Jackson sent; of all the friends around him during his last several hours of life, the chose William B. Lewis as the bearer of the messages which he sent to Frank P. Blair, Thomas H. Benton, Sam Houston, and others. The message to Benton is said to have been this: "Tell Colonel Benton that I am grateful even to my dying day." All Tennesseans should hope that these were Jackson's words, and if they were, it was a message greatly honorable for Jackson to send, and for Thomas H. Benton to receive, and for William B. Lewis to carry—Jackson, the greatest popular leader America ever produced, thanking the Senator who towered like Ajax in fighting Jackson's battles in the Senate, sending his thanks by a loyal and great friend—it is difficult to think of a more inspiring scene than this.

The student of Jackson's history finds it difficult to discriminate between Jackson and Lewis in letters or documents put forth in Jackson's interest; Major Lewis recast and reviewed the public letters that General Jackson wrote, and we cannot see how he could have gotten along without him. Whatever may be our opinion of politics and politicians, we are bound to sound a note of admiration when we come to consider the loyalty and friendship of Major Lewis to Old Hickory. General Jackson was not a man to handle details and bring things to pass by a combination of men or influences that had to be worked up or sought out. He had neither the patience, the skill, nor the sagacity for that kind of work; he was a great personality—one of the very greatest in all of the history of the world. In his personality lay his vast, overshadowing, dominating influence. If he had been deprived of the services of such men as Major Lewis, Amos Kendall, Frank P. Blair, and Edward Livingstone, even his great popularity would have been dissipated by mistakes of management, and inability to pacify personal and political differences in the different States, and bring them all in orderly procession and concentrated power in line for the success of Andrew Jackson and the Democratic party. It is rare that a dominating personality ever has the qualities embodied in all or any of the men just named whom General Jackson kept around him; and when we see a co-ordination of such a personality and the prowess of Jackson's personal friends, we feel that there is nothing to be surprised at in the success of the Democratic party when they all

were at the head of it. So complete a sacrifice of his brains, judgment and energy to the interest of one man, as Major Lewis made to the interests of General Jackson, is a thing to be wondered at; and we close this appreciation of the Major with the statement that he and General Jackson working together constituted as great a two in American politics as ever joined their services. Jackson had friends who came into his career and went out again hostile to him; others who started with him and deserted him; others who betrayed him outright; others who were lukewarm in their support; but Major Lewis was not one of any of these classes. He started with Jackson when Jackson's career opened, and he parted with Jackson only when the breath went out of his body, and when the old hero was sending messages by him to friends who helped to make his great career.

COLONEL A. S. COLYAR.

Col. A. S. Colyar, whose full name was Arthur St. Clair Colyar, made his entrance upon the stage of this world in Washington County, Tennessee, a few miles west of Jonesboro, on June 23, 1818; he was born in a cabin on the banks of the Nolichucky River. His grandfather was one of the pioneers in the settlement at Jonesboro. His father was Alexander Colyar, and he seems to have been a river man; he married a daughter of a brother of "Bonny Kate" Sherrill, who became the second wife of John Sevier. Alexander Colyar lived on the Nolichucky until his son was nine years of age, who, up to that time, appears to have had school instruction from a tutor.

For reasons that are not clear, Alexander Colyar determined to leave the Nolichucky, and, crossing the mountains, settled in Franklin County, and there set to work farming. His means were limited and his family large, consisting of ten girls and three boys.

Colonel Colyar, as soon as he was grown, taught school and began the study of the law, and was admitted to the bar. He lived for a while in Manchester, Coffee County, but returned to Franklin County, and his practice extended to the courts in a number of counties.

In a work on Jackson our interest in Colonel Colyar is especially strong because he wrote a "Life of Jackson," beginning to write it when he was eighty years of age, and its publication

occurring when he was about eighty-five. It consisted of two volumes of some nine hundred pages.

To say that Colonel Colyar was a profound admirer of Andrew Jackson is to say something that is well known to the legal profession, public officials, and educated men generally in Tennessee.

Being connected by family ties with "Bonny Kate," wife of John Sevier, Colonel Colyar was also a profound admirer of the first Governor of Tennessee, and never hesitated to eulogize him as one of the State's greatest benefactors.

His "Life of Jackson" is practically a strong lawyer's brief to prove that Andrew Jackson was one of the greatest men of the Republic.

In 1858 Colonel Colyar opened a law office in Nashville, and moved there in 1866. In politics he was an old line Whig of a very pronounced type, and when the Civil War came on he was as pronounced a Union man as was Andrew Jackson when he fired his proclamation at the nullifiers of South Carolina; but the majority in Tennessee being in favor of Secession, Colonel Colyar, like hundreds of Union men in the South, Robert E. Lee being one of them, went with his State, and was elected a member of the Confederate Congress, and served his term. He was a delegate from Tennessee to the Whig Convention that met in Baltimore in 1860, and was under instructions to vote for the nomination of John Bell for President, but he declined to do so, and voted for Sam Houston for the nomination, and gave as his reason for so doing, that he believed that Sam Houston could be elected, and that his election would save the Union.

After the close of the Civil War, Colonel Colyar affiliated with the Democratic party, but was not always in line with some of the principles of the party, as, for example, the tariff, he being a protectionist. He was charged with inconsistency in this and some other political matters, and he was accustomed to make the reply that "he was as good a Democrat as one could make out of an old line Whig."

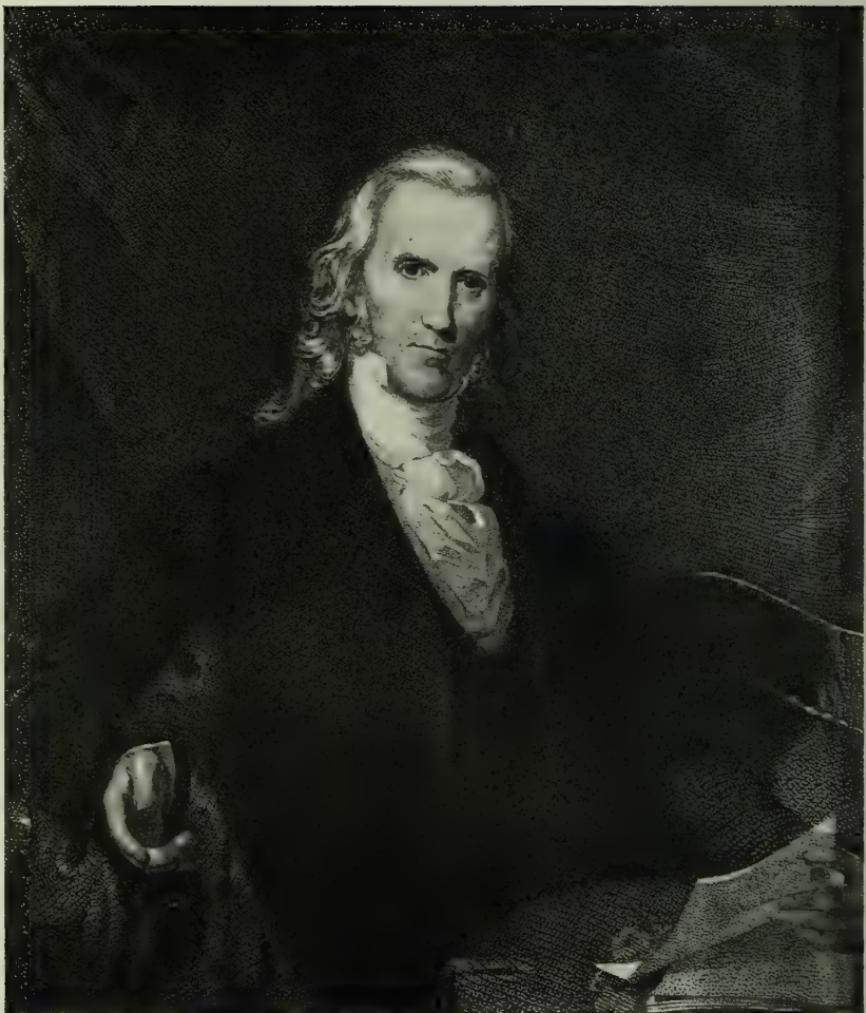
Prior to the Civil War, Colonel Colyar became interested in the development of coal properties in Marion, Grundy, and Franklin Counties, and conferred monumental benefits upon Tennessee in the development of industries of that kind. The Tennessee Coal, Iron and Railroad Company, which today is one of the great coal and iron corporations of America, was developed from the Sewanee Mining Company, the name of which was changed to

the Tennessee Coal and Railroad Company, and finally to the Tennessee Coal, Iron and Railroad Company. Colonel Colyar sold his interest in this latter Company for a large sum of money with which he bought the controlling interest in the Nashville American in 1881, and he became the editor of that paper, and so continued until 1884, when he went back to the practice of the law. As editor of the American, he was a protectionist.

Colonel Colyar was not a specialist in the law, but tried cases in all the courts, and was a power in whatever court he appeared.

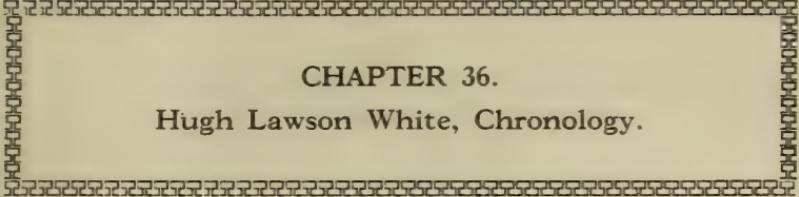
He was a candidate for the Democratic nomination for Governor in 1878, but failed of the nomination, that prize going to Albert S. Marks, who was his cousin, and who had been Chancellor, and who was duly elected Governor.

Public spirited always, free from the taint of graft or scandal, bold in every word and act, he was, before his death, probably the representative Tennessean. Even men who did not agree with him on public matters conceded his great intellectual capacity, and his power in impressing his views upon men. He died in 1907 at the age of 89 years.



HUGH LAWSON WHITE

United States Senator from Tennessee fifteen years and defeated as a candidate for President by Martin Van Buren. He carried Tennessee by ten thousand majority over Van Buren.



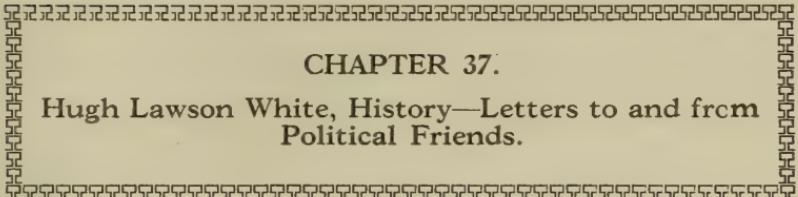
CHAPTER 36.

Hugh Lawson White, Chronology.

HUGH LAWSON WHITE, CHRONOLOGY.

- 1773 Born October 30, Iredell County, North Carolina.
- 1781 Came with parents to Tennessee.
- 1788 Studied classics under Rev. Samuel Carrick and Archibald Roane, afterwards Governor of Tennessee.
- 1793 Served under John Sevier at the Indian battle of Etowah.
- 1793 Appointed Private Secretary to Territorial Governor, William Blount.
Studied mathematics in Philadelphia, Pa., under Professor Patterson.
- 1795 Studied law at Lancaster, Pa., under James Hopkins.
- 1796 Began practicing law at Knoxville, Tenn., and continued for five years.
- 1798 Married Miss Elizabeth Moore Carrick, daughter of Rev. Samuel Carrick, first president of Blount College.
- 1801 Judge of the Superior Court of Tennessee.
- 1807 Elected to the State Senate from Knox County, Tenn.
- 1809 District Attorney of the United States.
- 1809 Judge of the Supreme Court of Tennessee, and held position six years.
- 1809 Re-elected to State Senate of Tennessee.
- 1812 November—Went with Luke Lea and T. L. Williams to relief of Jackson on Coosa River, Alabama.
- 1815 President of the Bank of Tennessee till July 1827.
- 1817 Re-elected to the State Senate of Tennessee.
- 1817 Author of the Tennessee law against dueling.
- 1821 March 31, Appointed by President Monroe as one of the Commissioners to ascertain the claims against Spain under the Florida Treaty, and held position to June 9, 1824.

- 1822 November 19, Appointed by the State of Kentucky on a commission to adjust the Military Land Claims of Virginia.
- 1825 October—United States Senator to succeed Andrew Jackson, resigned, and held the position fifteen years, by three successive unanimous elections by the Legislature of Tennessee.
- 1830 February 22—Made report to the Senate as Chairman of the Committee on Indian Affairs.
- 1831 March 25—Death of Mrs. White, his wife, who died near Natural Bridge, Va., 320 miles from Knoxville, to which city the remains were brought by private conveyance and buried.
- 1832 November—Married Mrs. Ann E. Peyton of Washington, D. C., who survived him seven years, and died in Knoxville in April, 1847.
- 1834 April 6—Answered Condé Raguet's letter, declaring his political independence.
- 1834 December 20—Agrees to be nominated for President.
- 1836 October 16—Nominated by the Tennessee Legislature for President.
- 1838 In the Fall—Tendered his resignation from the United States Senate to Governor Cannon of Tennessee, who refused—October 12—to accept same.
- 1840 January 11—Resigned from the United States Senate on instructions to him from the Tennessee Legislature to vote for the Sub-Treasury bill, which he declined to do.
- 1840 April 10—Died.



CHAPTER 37.

Hugh Lawson White, History—Letters to and from Political Friends.

HUGH LAWSON WHITE.

If some reader of these pages, not content with the reproduction of E. G. Leutze's oil portrait of Hugh Lawson White, should like to have an authoritative pen picture of him by one qualified by long personal acquaintance to write it, in order that as the story of Judge White's career is unfolded the reader can more perfectly visualize him in his coming and going on the stage of national and Tennessee politics, in his victories and defeats, in his manifestations of that grand character which was so luminous a guide to American politicians of that day, such reader can have the pen picture he wants in that written by Charles Cassedy, who knew Judge White for twenty years, and who published his portrait in a Nashville newspaper in 1834, and which has come down to us as a brilliant specimen of portraiture by means of words.

CHARLES CASSEDY'S PORTRAIT.

"In statue Mr. White is rather below the middle rank. His person, so far from being muscular, or having any pretensions to the least rotundity or fullness or obesity, is lean and sinewy in the extreme. His proportions are just, even elegant, as regards the bones and sinews of his frame, for muscles, he seems at first to have none; but with all this apparent emaciation, which seems to have been the product of the ravaging operations of an acute, discriminating, energetic and studious mind, he is capable of enduring great bodily and intellectual fatigue. The first view of him would impress you with the idea that intellect predominated, and you would immediately call to mind the old adage—that a sharp sword invariably cuts the scabbard.' His visage is rather long, very pale, emaciated, apparently, with studious thinking, and possessing a fixedness of expression which would seem to defy all the comedy of life to produce a relaxation. His forehead is high, bony, clear in outline and surface, and strongly expressive of the unclouded serenity of profound and unruffled thought. His eye is a dark blue; its expression is firm, pointed, discrim-

inating and reflective, without the least indication of fancy or passion. Such is the person of Judge White, as well as I can describe it, after an intimate acquaintance of more than twenty years.

"The moral character of the mind of this man is of so high an order as to bid defiance to all such allurements as usually influence the mass of mankind. It places him infinitely above the suggestions of avarice, the splendid attractions of ambition, and the enticements of such social, though empty, honors as general society has to bestow. . . . His whole life, as a citizen, a legislator and a statesman, has been such as might afford his countrymen an example to imitate. In the remarkable words of Randolph, 'he can look forward without apprehension and back without reproach.'

Hugh Lawson White was born in Iredell County, North Carolina, on October 30, 1773, and was the oldest son of General James White, and came to Tennessee with his parents in 1781. His schooling in Tennessee was necessarily limited to such schools as the country afforded, but he was a good student. He studied the ancient languages with Rev. Samuel Carrick, whose daughter he afterwards married, and with Archibald Roane, afterwards Governor of Tennessee.

General White, his father, founded the present city of Knoxville, which at that time was an unbroken wilderness and danger from the Indians was a matter of daily occurrence. The White family lived like any other pioneer family of the territory, with none of the luxuries and few of the comforts of life. The constant necessity of defense from the Indians was part of daily existence. Young White went on the expedition with John Sevier to Etowah and there took part in the battle with the Indians, and he always responded to the demands of the community when Indian depredations made armed defense a necessity.

At the early age of twenty he was appointed private secretary to Territorial Governor William Blount, who was also Superintendent of Indian Affairs, and it need hardly be said that these two positions—Territorial Governor and Superintendent of Indian Affairs—called for unceasing vigilance, great personal courage and great patience in dealing with the red sons of the forest.

Governor Blount possessed every qualification necessary for the complicated duties he had to perform, and his place in Tennessee History, for that reason, will always remain high, honorable and enduring.

Illustration reproduced from oil painting 30 by 20 inches, owned and copyrighted by the author; pictures Hugh Lawson White when he saw his future wife, Elizabeth Moore Carrick, assisting her father, Dr. Samuel Carrick, at a sheep-shearing at the Doctor's home.

Major T. S. Webb of Knoxville married a daughter of Colonel Hugh L. McClung, Sr., deceased, a nephew by blood of Hugh Lawson White, and Colonel McClung told Major Webb of his hearing Senator White narrate the sheep-shearing incident on a number of occasions. The incident being authentic, the author engaged Lloyd Branson to put it on canvas.



Young White's next move was to study mathematics in the City of Philadelphia under Professor Patterson, and in 1795 he went to Lancaster, Pennsylvania, to study law under the tutorship of James Hopkins, his expenses being advanced by his brother-in-law, Col. Charles McClung. He returned to Knoxville in 1796 and entered upon the practice of law, and so continued for five years. Two years after his return to Knoxville, in 1798, he married Miss Elizabeth Moore Carrick.

Connected with that marriage is a romance which the author has never seen in print, and which he hopes will live on down through the coming years as one of the undying memories of the early history of Tennessee.

In 1788, Rev. Samuel Carrick was one of the very few teachers of the classics in the territory west of the Alleghany Mountains, and his residence, three miles above Knoxville, was on the Holston River—now the Tennessee—on a beautiful, elevated site overlooking the river. This property is now the home of Robert Boyd and sister, Miss Pattie Boyd, descendants of the pioneer family of that name.

In 1788, Hugh Lawson White, a boy of fifteen years, appeared at Rev. Mr. Carrick's residence to ascertain if he could arrange to study the classics under him, when a scene presented itself that the boy was not expecting and one which he never forgot. The residence was enclosed with a rail fence, and Mr. Carrick had constructed a platform of rails, and on this platform had a sheep thrown, its head held to the floor by his daughter, Elizabeth Moore Carrick, then verging on her fifteenth year, while the man of the classics was industriously engaged in clipping the wool with a pair of old fashioned sheep shears. History fails to disclose how Mr. Carrick and young White were attired—or, what we would especially like to know—the garb of Miss Carrick. But these surmises are trivial compared with the fact that Cupid began operations promptly, and the memory of the young lady holding the sheep's head down remained till the death of the future United States Senator, one of his most cherished recollections. He was smitten then and there, and ten years later, in 1798, he and Miss Carrick were married and lived happily together until her death in 1831.

There can be no doubt that during these doubtless long and tedious ten years, the picture of the classic man, the girl, the sheep and the rail platform, came back hundreds of times to

White when he was studying mathematics in Philadelphia, and reading law under James Hopkins at Lancaster, Pa., or, when taking the nearly seven hundred miles trip of thirty days on his return to his mountain home in Tennessee. There were in those days no telegraph or telephone, or railroad or airship or other agencies by which Cupid transacts business now, and the mails arrived only at long intervals, or not at all, as the carriers saw fit, so that when away from home the student and lover had to fall back upon his fancy and inner consciousness in order to call up the image of Miss Carrick from the "vasty deep" of a thousand memories, whether of sheep shearing or other kind. Family tradition recalls her as a splendid as well as a beautiful woman, and the author esteems it a great privilege to place this tribute to her life and character upon the pages of a book of Tennessee history, nearly a century after she made her final exit across the eternal border, in Rockbridge County, Virginia, where she was born.

What a jewel that rustic, sheep-shearing scene on the Holston, in the beautiful valley of East Tennessee, would be as the subject of a painting by some Rembrandt, or other wizard of the brush, in depicting homely and rustic scenes. To its natural attractiveness is added the increased interest that the story is literally true, and was told time and again by Judge White himself, and it has come down to us as a precious heritage among the descendants, direct and collateral, of the White family.

In 1801, at the early age of twenty-eight, White was elected judge of the Superior Court of Tennessee. In 1807 he was elected to the State Senate from Knox County, and re-elected in 1809. Also in 1809 he was appointed District Attorney of the United States, which position he resigned soon, and in the same year was appointed judge of the Supreme Court of Tennessee, and held the position for six years.

In 1812 he went with Luke Lea and Thomas L. Williams to the relief of Andrew Jackson, who was sore pressed for supplies for his army on the Coosa River in the State of Alabama. This trip for the relief of Jackson must be put down by every candid student as a fine exhibition both of patriotism and personal courage, which should never be forgotten in the history of the State.

In 1815 he was elected president of the Bank of Tennessee, and held this position until July 1827. In 1817 he was re-elected

to the State Senate of Tennessee and in the same year was the author of the Tennessee statute against dueling.

On March 31, 1821, Judge White was appointed by James Monroe as a member of a commission of three to ascertain the claims against Spain which were assumed by the United States under the "Florida Treaty," and he held this position to July 1, 1824. The other members of this commission were Honorable Littleton W. Tazewell of Virginia, and Governor King of Maine.

On November 19, 1822, Judge White was appointed by the State of Kentucky on a commission to adjust the "Military Land Claims of Virginia."

Andrew Jackson resigned as United States Senator in 1825 and Judge White was elected unanimously in his place and held it for fifteen years, and was made chairman of the very important committee on Indian Affairs. On February 22, 1830, he made a report on Indian affairs, in which he advocated the removal of the Indians, with their consent and upon compensation made for their land, to some territory west of the Mississippi River. The argument of the report was that by isolating the tribes from the white men, and putting them in a territory of their own, they would be perpetuated; whereas, if left in contact with the white man, they would gradually waste away and finally become extinct.

On March 25, 1831, Mrs. White died near Natural Bridge, Va., three hundred and twenty miles from Knoxville, Tenn., and the remains were brought to Knoxville and there buried. It is characteristic of the man that, thinking he could drive the carriage in which the remains were carried more gently and more tenderly than anyone else, he took the place of the driver and so brought the remains to Knoxville, travelling 10 or 12 miles a day. We hope this act of his will be perpetuated in Tennessee history because of its knightly tenderness and devotion which attain the highest and finest in our human nature.

The mating of Judge White and his wife seems to have been perfect and their mutual devotion ideal. Unhappily Mrs. White was a consumptive and died of that disease. The children also were consumptive and many of them so died, so that throughout his public career Judge White was called upon to appear many times at the grave of members of his family. The "great white plague" hung over these afflicted people like a pall, and it appears that they were totally unable to dissipate it.

Judge White married Mrs. Anne E. Peyton, of Washington, D. C., on November 30, 1832, and she survived him seven years, and died in Knoxville in April 1847.

ACTION OF BANK DIRECTORS.

Frederick S. Heiskell, who was a lifelong friend of White's, published in the Knoxville Register of July 18, 1827, the action of the Board of Directors of the Bank of Tennessee.

"The Bank of Tennessee commenced its operation on the 30th day of November 1812. Hugh L. White has been the President thereof ever since. He has repeatedly and earnestly desired that he might not be elected either a Director or the President, but the stockholders have uniformly been desirous to retain him and avail themselves of his services. From the 30th day of Nov., 1812, to the 10th day of January, 1815, he received no salary or compensation whatever for his services. On the 9th day of January, 1815, the stockholders allowed him an annual salary of one thousand dollars, which continued till the 1st of January, 1820, at which time it was increased to fifteen hundred dollars per annum.

"On the 31st of March, 1821, he was appointed a Commissioner under the Florida Treaty with Spain, which appointment he continued to hold until the 9th day of June 1824, a little upwards of three years. When the Commission was not in session, his attention was devoted to the business of the bank; and although this was the case, he uniformly refused to receive any salary for his services, and never had received one cent for any services he rendered the bank between the 31st of March, 1821, and the 1st day of July, 1824. About the last of October, 1825, he was elected Senator of the U. S.; and since his election, he has uniformly given attention to the business of the bank when he was not necessarily absent, and during the whole of this time, that is from the 31st December, 1825, to this date, has received from the bank for his services, only the sum of three hundred and seventy-five dollars, equal, barely, to one quarter's salary. From the first organization of the bank to this time, it has uniformly relied upon him for all the legal advice the Directors needed, which he has uniformly given, for which he has never demanded or received one cent in compensation. Any suits to which the bank was a party, when the business could be done at Knoxville, he has attended to as a lawyer for which he has never asked or received one cent.

"He is not a borrower of money from the bank to the amount of one dollar, and is an endorser on one note only, and that for barely three hundred dollars.

"The bank has uniformly had the use of his private funds for nothing. He has, in many instances, taken journeys upon the

business of the bank, when a confidential person was necessary, and in no instance has he received any compensation whatever for any such services.

"Given under our hands at Knoxville, the 27th day of June, 1827.

"Luke Lea, *Cashier.*
William Park, *Ex-Cashier.*
Andrew McMillan,
H. A. M. White,
Late Clerks.

"John Crozier,
John Hillsman,
James Park,
David Campbell,
Calvin Morgan,
Robt. King,
James Dardis,

Directors.
Joseph C. Strong,
Former Director.

DINNER TO SENATOR WHITE.

The Nashville Republican and State Gazette, in its issue of October 2, 1827, gave an account of a public dinner tendered by leading citizens of Nashville to Senator Hugh Lawson White, the invitation to him duly signed by the committee of arrangements, Senator White's reply accepting the honor of the dinner, and the list of 15 regular toasts and 48 volunteer toasts which we are assured, "the cloth being removed were drank." Between two hundred and three hundred persons sat down at the table.

This dinner is interesting as an incident in the career of Senator White, and because participated in by leading politicians and citizens of Tennessee, and especially, because of the phenomenal number of toasts—sixty three—which were drank, and the prodigious quantity of some kind of liquid that must have been consumed in the drinking; which we feel sure was not water.

The Republican and State Gazette fails to set out many things we of 1920 constitutional, nation-wide, prohibition days would like to know. Tennessee history is conclusive on the point that our forefathers were not accustomed to shy away from the liquid in which toasts were usually drank at public dinners, banquets and other pleasant occasions; and, on this occasion, from two hundred to three hundred persons had opportunity each to drink sixty three times. Whether any drinking was indulged in except in response to toasts, we are not advised, nor what the effect was on those who did the drinking. We would like to know in what condition Senator White, Supreme Judge John Catron, Andrew Jackson, Governor Houston, John Bell, Felix

Grundy and the rest of the impressive band of diners were, when the toastmaster announced adjournment. Did Senator White walk with excellent dignity and his accustomed erectness? Was Judge Catron able to track a perfectly straight line, or, did he wobble a trifle? And how did Governor Houston get along, and Andrew Jackson then blooming into a full-fledged contestant for the Presidency? And the rest of the diners, what about them? Alas we can never know! We can only surmise that they did full honor to the dignity of the occasion by carrying away the limit of their capacity, if not a little more.

The diners and banqueters of these latter days must not imagine that our forefathers did not have a full and varied supply of liquid refreshment that diners and banqueters delight to see on the table. In the same issue of the Nashville Republican and State Gazette there were five advertisements by Nashville merchants who advised the public that they had wines and liquor for sale, and, that too, when the population of Nashville was nothing more than that of a country village. John B. West advertised Cognac Brandy, Holland Gin, Madeira Wine, Monongahela Whiskey, Teneriffe Wine, New England Rum, Sweet Malaga Wine, Ohio Whiskey, Colmener Wine, Rectified Apple Brandy and Medoc Claret.

Smith and Moore had for sale 75 barrels of Bowers Whiskey, made in Tennessee, and Kentucky Whiskey.

W. H. Brown offered the best Pittsburg Point Port.

Samuel Seay desired to sell simply Rum.

McCormick & McConnell were the best stocked of all the merchants, and had 25 barrels of Monongahela Whiskey, 11 barrels Old Peach Brandy, 10 barrels of best Ohio Whiskey, 50 barrels of Ohio Whiskey, 30 barrels of Double Distil'd Brandy, and Rum, Brandy, Gin and Wine.

The reader will not fail to note the sentiments offered by Major Anthony and J. T. Parrish in denunciation of the traducers of Andrew Jackson.

The following is the Republican and State Gazette story.

"Nashville, 29th Sept., 1827.

"THE HONORABLE HUGH L. WHITE:

"Sir:

"The undersigned, committee in behalf of the citizens of Nashville and Davidson County, invite you to a public dinner to be given at Vauxhall Garden, on Monday next, as a testimonial

of the respect they and the citizens they represent, entertain for your character, personally and politically.

"They avail themselves of the occasion thus afforded individually to present to you sentiments of regard and friendship.

"John Sommerville,
John Bell,
Josiah Nichol,
John H. Eaton,
Joel Parrish,
R. Armstrong,
Felix Grundy,
W. B. Lewis,
James Stewart,
Joseph Phillips,

"Nashville, September 29th, 1827.

"Gentlemen:

"Your friendly invitation in behalf of the citizens of Nashville and Davidson County, to a public dinner at Vauxhall Garden, on Monday next, is accepted, with pleasure. For this evidence of their kindly feelings, permit me, through you, to tender to the citizens of Nashville, and of Davidson County, my sincere acknowledgments; and to solicit that you accept, for yourselves, individually, my best wishes for your welfare and happiness.

"With the highest regard, I am,

"Your most obedient servant,

"HUGH L. WHITE.

"Messrs. John Sommerville, John Bell, Josiah Nichol, John H. Eaton, Joel Harris, Robert Armstrong, Felix Grundy, William B. Lewis, James Stewart and Joseph Phillips,

Committee.

"About two o'clock, between two and three hundred individuals sat down to an excellent dinner prepared by Messrs. Decker and Dyer. The members of both the houses of the Legislature, the Hon. John Grant of North Carolina and several other gentlemen were present as invited guests. The Hon. John H. Eaton acted as President of the day, assisted by Messrs. Josiah Nichol, John Bell and Joe Parrish. The cloth being removed, the following toasts were drank:

"REGULAR TOASTS.

"1. The American Republic—Founded by wise and virtuous patriots; its perpetuity mainly depends on the purity of its administration.

2. Confederated and State Rights—When poised in the balance agreeably to the spirit and intention of the constitution, no danger to the republic need be apprehended.

3. The State of Kentucky—On the embattled plain she has fought with us, bled with us. On the political field, we are proud to hail her again as an associate.

4. Panama and Tacuyaba—There was a congress we have heard. Ministers were appointed to seek and find it out; and non est inventus is the return.

5. The Legislature of the State of Tennessee—The representatives and guardians of a generous and liberal people; they possess, as they deserve, the confidence of the public.

6. Our guest, the Hon. Hugh L. White—He has been ever found faithful to confided trusts. The unanimity by which he has been honored with the confidence of his countrymen is flattering to him, creditable to its authors.

7. The Navy of the United States—Ships of live oak and seamen alive to the honour and the glory of the star-spangled banner of their country.

8. The "Chieftan" of more than Roman Virtue; within whose reach was the proudest office known to man. Bargain was the only obstacle to its attainment, "and he would not."

9. Internal Improvements—Necessary to commerce, they are worthy to be considered; essential to union, they are desirable; but for electioneering purposes, and the maintaining of persons in power and office, they are to be deplored.

10. General William Carroll—We highly appreciate his services in the field and in the cabinet.

11. General Samuel Houston—This day installed into office; his past service is a sure augury that his administration will be prosperous.

12. General John Coffee—The gallant "Chieftain" who on the memorable 23d of December, at the head of his brave corps, unaided by the bayonet, thrice forced the British lines from their strong position.

13. Commodore David Porter—Though exiled, yet not estranged from the hearts of his countrymen. May his spirit of enterprise, his courage and skill, secure for him in a foreign land the honour and distinction denied him in his own.

Washington, Lafayette and Jackson—A trio of "military chieftains:" The efforts they have made to save their country merit to be forever remembered by a grateful people.

15. The American Fair—Who would not enlist in their service? Under their banner, who would not be a soldier?

"VOLUNTEER TOASTS.

"Hugh L. White—The citizens of Nashville and of Davidson County; distinguished as well for their hospitality as for their patriotism.

Hon. John Branch—The Mother and the Daughter, the State of North Carolina and the State of Tennessee, indissolubly connected by the ties of blood and friendship.

Gen. A. Jackson—The memory of the gallant Lauderdale and Henderson who gloriously fell on the plains of New Orleans, nobly defending the Emporium of the West.

Hon. John Rhea—The sovereign people of the United States of America; great and independent; their will is the supreme law. They will give their highest office to the man who has filled the measure of his country's glory. Let their will be obeyed.

Gov. Houston—Our Country; its freedom will be perpetual; while the people adhere to the inspiration of '76, and the judgment of '98.

Gen. Hall—The memory of Gen. James Robertson, a firm patriot and true friend of his country.

Dr. Camp—The Hon. John Branch of North Carolina, a true disciple of the old Jeffersonian school.

J. H. Eaton—The Hon. John Branch; none has ever known him fail to do his whole duty.

Judge Catron—Gen. William Polk; a Hero of the Revolution, he wears some of its deepest scars and ripest laurels; and deserves the full measure of his country's gratitude.

Col. Thos. Gray—The Hickory Tree; may it so expand its branches as to afford shade and comfort to the whole American people.

J. D. DeLacey—The Governor and State of Louisiana, may they never forget that Tennessee is their right arm of defense and hickory their best wood to defend them in danger.

R. M. Burton—To the present Legislature of Tennessee, firmness and unanimity in its deliberations; to the farmers, continued prosperity; to the mechanics, the reward of their industry; to the lawyers, a plenty of promissory notes, and some spare cash; and to our bachelors, wives, children and friends.

D. Barrow—The Hon. H. L. White; The patriot, the statesman; when we distrust him we will dispose of our country's freedom.

O. B. Hays—The Hon. John Overton; a learned jurist and firm patriot.

James Stewart—The Hon. John H. Eaton; President of the day, highly esteemed as a politician; much respected as a man.

A. H. Snowden—The State of New York; she will not forget Andrew Jackson in 1829, but will give him her united support.

Maj. L. H. Brown—The present Administration; Cease vipers with your party fulminations and scurrilous animadversions; you gnaw against a file.

Doctor J. Overton—Governor Branch; the enlightened and fearless "chieftain" of representative democracy; civic honors shall reward his deeds and attest to future ages the applause and gratitude of the American people.

Dr. Wm. P. Lawrence—Andrew Jackson, our next President; his election safe with the people. There let us keep it.

Nelson Patterson—The Hon. George M'Duffie; he bearded the lion in his den, he cried out, "Corruption," and spared not, when the institutions of his country were assailed.

E. Dibrell—Andrew Jackson; a piece of sound hickory; the best axletree on which the wheels of our government can turn.

Maj. Anthony—Calumniators of Mrs. A. Jackson; the indignant finger of scorn has been pointed at them by all the honorable men of this nation, as well as those of foreign countries. Desperate indeed, must that cause be, that a resort to such men and means is necessary for its support.

Dr. E. S. Davis, of South Carolina—The State of Kentucky; The result of her late election has added new lustre to her character, her sons are too intelligent to be deluded by the sophistry of Henry Clay.

By S. R. Rucker—Our constituents, equally worthy of our regard, in the halls of legislation and the festive board; they are our only masters.

By an old Kentuckian—The people of Kentucky, honest and unsuspecting; designing demagogues may deceive them once, but the veil has been thrown off, they have done their duty.

J. Parrish—The slanderers of Mrs. Andrew Jackson, may infamy and contempt be the doom of such scoundrels.

Tho. A. Duncan—The Peoples Will! Who would disregard it? “If any, let them speak?”

F. B. Ogden—Tennessee, as ably represented in the Cabinet as it has been in the field.

R. E. W. Earl—The Fourteen Senators, who voted against confirming the appointment of Henry Clay as Secretary of State in 1825 now stand before this Nation as did in Seventy-Six the signers of the Declaration of Independence, with the exception of three (of the fourteen) that have since swerved from the true faith of '98.

George Ament—General Houston: The people's friend and advocate of the people.

Geo. S. Yerger—Kentucky—Honor to the people, who sacrificed on the altar of the Constitution sectional pride and prejudice. Demagogues for a time confined, but could not restrain, the indignant burst of public feeling against those who violated a sacred trust.

Charles Cooper—The trio of “Military Chieftains:” The first discovered a spark, the second aided in making it blaze, the last saw it dying away, he pushed up the chunks and caused the flames to arise that will never be extinguished.

Col. Locke—Grateful feelings to Washington, Jackson, and all the veteran patriots of the revolution.

Gray Garret—John C. Calhoun; A bright Star in the political firmament.

T. A. Howard—The Hon. John Rhea: worthy of the confidence of his country.

John M'Gregor—Gen. Duff Green: Editor of the United States Telegraph, the friend and advocate of the people's rights.

A. Huntsman—May the next administration be composed of a tough Hickory with two prongs, one to whip the Hartford Conventionalists, the other the anti-republicans out of the United States.

Jno. H. Camp—The good old republican doctrines of '98—*esto perpetua.*

T. A. Howard—The Hon. Hugh L. White—His re-election to the Senate of the United States proved the undiminished confidence of his country in his talents, integrity and devotion to the cause of liberty.

George Shall—Jacob C. Isaacks: The advocate of a free people's will, the faithful sentinel of their rights, and supporter of their sovereignty.

Mr. Turney—The ex-Governor and Governor-elect, honor to the one who retires, prosperity to his successor.

J. P. Clark—Our Invited Guest: The Hon. John Branch, Senator in the Congress of the United States from North Carolina, a bold, magnanimous and fearless patriot, may his State still delight to honour him.

L. J. Polk—Gen. S. Houston: "He dares do all that may become a man—who dares do more is none."

Wm. E. Anderson—George M'Duffie; pledged to prove the coalition. "Lay on M'Duff and damned be he who first cries 'Hold—enough!'"

A. V. Brown—The University of Nashville rising like a pyramid of fire to cheer and enlighten our State.

Jas. A. Whitesides—Wm. H. Crawford; he stands above the influence of corruption, may he long live in the hearts of his countrymen.

James H. Caldwell—The 23d December; The brilliant thought that met the nemy as he landed, brought back glory to the chief who conceived it and insured the safety of Louisiana.

S. Clark—Andrew Jackson: His deeds of glory will remain in our memory as long as we have Clays to walk upon."

JACKSON AND WHITE.

To illustrate the warm attachment which seemed to exist between Jackson and White at the time of the former's first election to the Presidency, Jackson's letter may be cited, dated October 17, 1828, where he uses this language:

"I thank you kindly for the suggestions you have made, and will always thank you for your friendly counsel. We have grown up together, and have passed to the top and over the hill of life together, and permit me to assure you there is no one in whom I have greater confidence in their honor, integrity and judgment than in yours."

Judge John Overton, who founded Memphis, and through his entire life was Jackson's second self, wrote White on December 31, 1828:

"It will give me pleasure at all times to receive your views upon all and every subject; you have my confidence and friendship and to you and Major Eaton I look as my confidential friends."

Jackson wanted White in his cabinet, and Major John H. Eaton aspired to be a member of the cabinet, and this conflict of interests brought from Eaton an adroit letter.

JOHN H. EATON TO WHITE.

"Feb. 23, 1829.

"Dear Sir: A letter received some time ago from Gen. Jackson, stated he desired you, or me, to be near him. In a recent conversation with him, he remarked that he had a full and free conversation with you; and at the close remarked that he desired to have me with him. I presumed, without inquiring, that he had probably talked with you on the subject, and that you had declined accepting any situation, as you before had told me would be your feelings. Nothing definite has taken place on this matter between General Jackson and myself, and I hope you know me well enough, and my regard and friendship for you, to know this, that I should never permit myself to stand in competition with any desire you may entertain. If you have any desires, say so to me in confidence, and it shall so be received. If you have none, then in reference to every and all considerations I should consent to any such appointment. Think of this and give me your opinion frankly.

"Your Friend,

"J. H. EATON."

Judge Overton writes White another letter of warm friendship.

"Nashville, October 5, 1830.

"I pray God that you may be able to get along amidst all accumulated confusion without resigning your seat in the Senate. The General (Jackson) and myself are sensible of your value to the country at all times and under any circumstances; but now, my friend, your presence in the Senate is all important. * * * * * The times, especially as respects the Senate, are peculiarly delicate and hazardous. One staunch, undeviating and intelligent friend there now is a jewel of the first water, and without his compeer. I have always, and so does the General, viewed you as such, but if there be any other I do not know him. * * *

"Your friend as usual,

"JOHN OVERTON."

It is difficult to see how Jackson could have written a letter more devoted in its expression of friendship, or showing more per-

fect reliance upon White's support in the Senate, than the following. The reader will note in the paragraph next to the last, the pathetic reference to the loved and lost Rachel. Jackson was 62 years old.

JACKSON TO WHITE.

"Washington, Oct. 12th, 1829.

"My Dear Sir:

"I have received your letter from Nashville, 26th ult., and am pleased to learn from it your determination to remain in the Senate a little longer. Your services there, for the present, is all important to your country, and your continuance in the Senate very gratifying to me. The severe affliction by the loss of so many of your children, I was aware, made public life a burden to you; still, I knew the high estimation in which your public services were held by your country, and that you would find it difficult to obtain the consent of your constituents to retire; am truly happy that you have consented to continue, for I have a hope that I would have your aid in the Senate so long as I remained in the executive. Both of us, I do suppose, would be more contented and happy in private life; but the Lord hath willed it, and we must submit.

"How grateful I feel to you for your kind and friendly visit to the Hermitage, where lies all that made life desirable to me, and whose loss I can never cease to mourn, and over whose tomb I would like to spend the remnant of my days in solitude, preparing to meet her in a happier and a better world.

"Be pleased to present me kindly to every branch of your family, and believe me your friend,

"ANDREW JACKSON."

As early as the spring of 1830, when Jackson had been President only one year and had three more years to serve, the issue had become acute among politicians as to who his successor would be.

It seems not to have been decided by Jackson's friends that he should be a candidate for a second term, or, at least, it did not so appear on the surface, but had probably been so determined in the inner circles of his friends. Judge White, as usual, concealed nothing as to his own position, and, in a letter to Frederick S. Heiskell, dated April 28, 1830, said:

WHITE TO FREDERICK S. HEISKELL.

"The bill to provide for the removal of the Indians west of the Mississippi has finally passed the Senate by a vote of 28 to 19. This has taken off my mind a burthen which has been oppressive from the commencement of the session. I hope it may pass the other house.

"Cold as the notice taken of our exertions in the Telegraph is, no Georgian nor Tennessean will ever be mortified by hearing the debate spoken of, if the truth be told. We had, I think, in the estimation of all intelligent men, at least, as much ascendancy in the argument as we had in the vote. As good fortune would have it, Judge Overton, Collingsworth, District Attorney of West Tennessee, Major Armstrong, and many others from different quarters were present, and know that our side was sustained in a style which gratified our friends and mortified our opponents.

"I have not, nor will I, commit myself to support any particular pretender after Jackson is off the stage. Of course, I shall never have any exertions applauded in the Telegraph, nor in any other paper published here, while things remain as at present.

"I have as much of the kind feelings of all as I can expect, unless I become the partisan of some one, which I do not intend to do prematurely.

"Your friend,
"HU. L. WHITE."

DISSOLUTION OF THE CABINET IN 1831.

Jackson's cabinet was dissolved in 1831, and White was invited this time, also, to become Secretary of War, and the warm friendship entertained for him is demonstrated by the following letters from Jackson's confidential friends, John Coffee, James K. Polk, Felix Grundy, J. N. Catron, F. W. Armstrong; and by the statement of Senator Tazewell, of Virginia, in reference to a visit of Jackson and John Overton to Tazewell at Old Point Comfort, to get him to induce Judge White to accept the position of Secretary of War. These five letters and the statement of Senator Tazewell, follow:

JOHN COFFEE TO WHITE.

"Nashville, 3rd May, 1831.

"Dear Sir: We have just received in handbills the account of a general dissolution of the cabinet at Washington, by resignation of all the principal secretaries. I suppose you have seen the same, and probably more, as rumor says the new cabinet has been designated, and that you are one of them. The friends of the President here are highly pleased with the arrangement, and more particularly that you will be with him. My dear sir, I know that you are not desirous to be placed in such a situation. We all know that you have ever refused to accept of appointments to leave home. But at this particular crisis, when all seems to be at stake, and nothing but a firm steady course, to be well marked out, and steadily pursued by the Administration, will or can support us, and prevent division in the republican ranks, I

hope you will make the sacrifice of feelings, and accept of appointment if called on by the President; and I feel assured that in his present situation, his attention would first and very naturally turn towards you, in whom he can confide. You and he have grown up together, and have passed from youth to mature and somewhat advanced age; your friendship has been uninterrupted; you understand each other, and I believe your political views are the same; and from these circumstances and facts, there is no one so well fitted to be with him as one of his counsellors and advisers, as you are; and therefore it is the earnest wish of your friends here that you will yield to the call. * * * * *

"I beg you, my dear sir, to accept my best wishes for your health and happiness.

"JNO. COFFEE."

JAMES K. POLK TO WHITE.

"Columbia, May 5th, 1831.

"My Dear Sir: The last mail brought us the letters of resignation of Mr. Van Buren and Major Eaton, and also a rumor, which I doubt not is true, of the resignation of the other members of the cabinet. This event I cannot say surprised me much. We had reason to apprehend an explosion of some sort, but could not anticipate the manner or the time which it would occur. I am anxious to see the letters of resignation of the other members of the cabinet, which have not yet reached us. Should all have retired in such a manner as to impress upon the public mind the idea that a part did so voluntarily, and a part by coercion, I cannot see that the party or the country is to be affected by it. That the new cabinet, profiting by a knowledge of the difficulties which their predecessors had to encounter, will act in harmony with each other, and with the President I have no doubt. Avoiding the causes which have led to the present state of things, I doubt not that their labors will prove eminently beneficial to the country, by sustaining the great principles which have marked the course of the Administration.

"I need not assure you that I am highly gratified to find your name among those whom it is said the President intends to invite into his cabinet. Upon this point but one sentiment has been expressed among our intelligent and common friends here. In the course of his Administration the President has had many difficulties to contend with, not among the least of which has been the want of harmony and concert of action among his confidential and constitutional advisers. As against an organized and vindictive, and I may add, in some respects, unprincipled opposition, he never had nor has he now anything to fear. I know he has unlimited confidence in you, and in this his hour of need, will, I have every reason to believe, be anxious to have your assistance in the Administration. Should he invite you to a place

in his cabinet, I trust you may reconcile it to your sense of duty and propriety to accept, and that no considerations may induce you to decline. Your friends in the State may regret to lose your services in the Senate, but no one of them sincerely attached to our cause can, I think, or would for one moment hesitate, not only to assent to your acceptance of the new station, should it be offered to you, but to advise it. We would hazard nothing, I think, in supplying your place in the Senate with a man of the right politics, though none can be found in whom the people of the State would have so much confidence as in yourself. I trust therefore that you will duly appreciate my motives, when I insist that you will not decline if invited by the President (of which I have no doubt) to accept a place in his councils.

"Very sincerely and truly,

"Your friend,

"JAMES K. POLK."

FELIX GRUNDY TO WHITE.

"Nashville, May 17th, 1831.

"Dear Sir:—I hope before this time you have accepted the office of Secretary of War. If not, I now write for the purpose of uniting my solicitations and that of my neighbors, in favor of your acceptance.

"There is entire confidence here in the proposed new cabinet; for myself I can say, it affords the first clear, sunshiny political weather I have seen for some time. Whatever your diffidence may suggest, rely on one thing, there is no other man who under all the circumstances will unite so much public confidence; all past notions of non-acceptance of office etc., should be surrendered at this time for the public good.

"Your friend,

"FELIX GRUNDY."

J. N. CATRON TO WHITE.

"Nashville, May 1st, 1831.

"My dear Sir:—When the news reached us (1st May), of the resignation of the cabinet, the same account brought the suggestions of the successors. From that time until yesterday I have been to Kentucky on a visit to my parents. That the war department has been tendered to you, I am told is true. I have been out amongst the people since the report went forth, in the south of Kentucky, and in Tennessee. For a range of 150 miles I am sure of public opinion. It is not only in favor of your accepting, but that no man could be found so likely to fill the station satisfactorily to the West and South, and, all things considered, it was the very best selection that could have been made. The

Clay men generally said to me, 'with Hugh White, we are perfectly satisfied.' So I find opinion here. The desire that you should accept is most anxious with the Jackson men, and your declining would dishearten very many under the impression of difficulties attending the administration of the government, that deterred the most prudent and efficient men from taking office under it, a thing the farthest imaginable from being true, under the present aspect of affairs.

"I think it due to the country, and the party of our opinion politically, that you should accept the office.

"I would not have written you, but our friend, General Coffee, on being informed of the facts above, suggested the propriety of my writing, saying he had done so, and if it did no good, no harm could come of it.

"As a western man, I should feel disagreeable with all strangers in the cabinet. One old acquaintance of General J. ought to be there, and a man not wanting too much hereafter, one that feels as if, 'in the fork of the poplar, safe from the pack.' Out of Tennessee he cannot be found. If you refuse, we will feel restive, unsafe and anxious.

"The Kentucky people in the south of the State are generally for office on the Clay side; the aspirants are waiting until they are wearing out with age, are becoming doubtful that a union of N. Light Federalists with Kentucky republicans, if possible, cannot last, are dropping off, and if the government is successfully administered, will not long seriously oppose it. Such are the symptoms at present.

"For your health and happiness accept my best wishes.
"J. N. CATRON."

F. W. ARMSTRONG TO WHITE.

"Washington City, 1st May, 1831.

"Dear Judge:—I have just parted from the President. He informs me, confidentially, that you have declined the office of Secretary of War. The old man said he wrote you yesterday, urging you still to accept.

"I know your friendship for the President, and I know, too, Judge, the sacrifices you have ever been willing to make for the love of your country. I write this at the request of the old General, because he says I have been present here, and can describe plainly to you the situation of things as they are. The old man says that all his plans will be defeated unless you agree to come; should it be but for a period short of the continuance of his Administration. The public have settled down on you, Judge, as the man. The wishes and confidence of every one seem to require your acceptance. Nothing that you can offer will satisfy your friends; because, as the old man says, this is a crisis in which he wishes his best friends to be with him, and you well know

that you are the nearest; so he declares, Judge. Now for my own views. The good of the country, the honor of your best friend, the character of the State, and, lastly, it must not be said, that aid is refused the old chief from Tennessee, and that, too, by Judge White.

"Judge, pardon me for attempting to influence you. I write because I know you will do one thing, and that is, believe what I say. Could you but witness the anxiety of the General, and the distress that follows, under the supposition that you will not join him, I know you would yield.

"Yours truly,

"F. W. ARMSTRONG."

STATEMENT OF SENATOR TAZEWELL.

"Under this impression, I was somewhat astonished at an incident which I will now relate. During the summer or fall of 1831, General Jackson, accompanied by Judge Overton, of Tennessee, paid a visit to Old Point Comfort, a watering place not very far from here. So soon as I was able, after I was informed of their arrival there, I called to see them. Upon this occasion, I was told by Judge Overton that the office of Secretary of War, then vacant, either had been or would be offered to our friend Judge White; and I was asked my opinion as to the qualifications to fill it, and as to the probability of his accepting it. To these inquiries I replied promptly, that the war department, during several years past, had been getting into much confusion, as I thought, and that none of my acquaintance was so well calculated to restore it to order as Judge White, of whose unwearied industry and sound judgment I had had the best opportunity to form a correct opinion. But that from my knowledge of him, I did not believe that he would accept such an appointment. Judge Overton concurred in the opinions I had expressed; and as I believe communicated them to the President; for in a very short time, similar inquiries were addressed to me by the President himself, to which I returned the same answers. He too, expressed his apprehensions that Judge White might not accept, and requested that I would write to him, advising him to do so. With this request I declined to comply, stating to Gen. Jackson as my reason for doing so, that I thought it would be indelicate on my part to give such advice to any one situated as Judge White then was. I had just heard of the sad domestic bereavement with which he had been afflicted.

"When we met in Washington, at the commencement of the next session of the Senate, I communicated to Judge White the substance of what had occurred. He then informed me that the War Department had been offered to him, which he had promptly declined; and thanked me, with much feeling for the part I had taken in the subject, of which Judge Overton had informed him.

By 1832 there was evidently a rift in the political lute at Washington, which is evident by a letter of White to Frederick S. Heiskell, which shows White's undeviating loyalty to Jackson personally, but not to Jackson as a proponent of Van Buren as his successor as President.

WHITE TO FREDERICK S. HEISKELL.

"Senate Chamber, May 18, 1832.

"* * * The true reason why nothing I have said is noticed in the Globe, I have no doubt is, because I have never assured any man that as soon as Gen. Jackson's terms of service are at an end, I will use all my endeavors to elect the favorite of those who direct the operations of that paper. I am for Gen. Jackson; but am not either a Calhoun-Jackson man, or a Van Buren-Jackson man, and, therefore, it is pleasing to the Globe and Telegraph not to notice favorably anything I can say or do; and as I am opposed to Mr. Clay, his papers will, of course, speak disrespectfully of me. Notwithstanding all these difficulties, I will go on exactly as I have done, making myself as useful as I can; determined to leave myself at liberty, when Gen. Jackson is off the stage, to exercise my own judgment on the question of a successor.

"I cannot attend the Baltimore Convention, from which I expect nothing of benefit. My duties in the Senate preclude the possibility of my being absent.

"Your friend,

"H. L. WHITE."

Things were becoming still more strained in 1834, for in that year White's name was used in connection with the presidency, and it was rumored that Jackson had made the threat that if White became a candidate for President, he would denounce him, and White wrote a letter to James K. Polk to ascertain if this was true, and Polk made the following reply.

JAMES K. POLK TO WHITE.

"Columbia, Sept. 2nd, 1834.

"My Dear Sir: I received your letter of the 26th ult. on yesterday. I am surprised and astonished at the information which has been communicated to you that one of your oldest and most valued friends, now high in office has said that 'he will denounce you as soon as it is ascertained that you are willing to be a candidate,' etc. There must be some mistake about it. It certainly cannot be so; and unless your information comes in a most unquestionable shape I should be slow to believe it, but

should much sooner suspect that the communication came from an interested source, or from one having some object to effect, by separating in feeling at least, old and long tried personal and political friends. It has not been a great while since the person to whom I presume you must allude, gave public evidence of the estimate in which he held your private and public character, as well as of your capacity for high office, by his willingness to have you associated with him in highly confidential and responsible public relations. This opinion of you was, I know, long since that time unchanged, and I have never had any reason to believe, for one moment, that his former confidence in you was in the slightest degree impaired. I would much sooner suspect the accuracy of my information, therefore, than yield for an instant to the impression which the information itself is calculated to make upon your mind. Nothing could pain mutual friends more than the idea that anything could occur to break up, or in the least disturb, the intimate relation of private friendships which have existed for more than forty years, or to separate those now in the evening of life, who for so many years have acted together upon public affairs, and who have always agreed, with perhaps unimportant exceptions, upon all measures of public policy, and, especially, those which have engaged the public attention during the present and pending Administration.

"I am very sincerely,

"Your friend and obt. servt.,

"JAMES K. POLK "

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